

BEFORE THE HEARINGS PANEL

IN THE MATTER of the Resource Management Act 1991

AND

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

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

PLANNING

Dated 11 March 2024

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SUPPLEMENTARY STATEMENT OF ANITA RENIE COPPLESTONE

A. INTRODUCTION

- [1] My full name is Anita Renie Copplestone.
- [2] I prepared the s 42A report - Planning dated 15 September 2023 (**s 42A Report**) and reply statement dated 28 November 2023 (**Reply**) on planning matters for PCG.
- [3] My experience and qualifications are set out in my s 42A Report.
- [4] I repeat the confirmation given in my s 42A Report that I have read and will comply with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023, and that this statement has been prepared in compliance with that Code.

B. SCOPE

- [5] My supplementary statement responds to the following matters raised during the hearing in the week of 4 December 2023:
 - (a) The Structure Plan approach, including whether certain elements should be fixed or flexible, and how this should be reflected in the provisions;
 - (b) The role of the Conservation and Amenity Zone; including in relation to s 6 Resource Management Act 1991 (**RMA**) matters such as natural character, protection of significant indigenous vegetation and significant habitats of indigenous fauna and in giving effect to the National Policy Statement for Indigenous Biodiversity 2023 (**NPS-IB**) and National Policy Statement for Freshwater Management 2020 (**NPS-FM**) and the Horizons One Plan Regional Policy Statement (**RPS**), and how works within these zoned areas will be appropriately managed by the PCG provisions;
 - (c) Consideration and response to the proposed alternative roading connections proposed by representatives for Submitter 45 (PNIRD), and the request to apply the Rural-Residential Overlay to specified Areas A and B of the Green Block;

- (d) Consideration and responses to matters raised by submitters during the hearing, and through questioning by the Panel;
- (e) Further recommended changes to provisions and the associated maps arising from consideration of the above matters, with a set of marked up provisions attached as **Annexure 1**, along with an updated Zoning Plan, Map 10.6.3.3(i), Map 10.1 and 10.1A and the Structure Plans;
- (f) Provision of 'wiring diagrams' for the PCG rule framework, including how these rules interact with the operative rules in the District Plan, attached as **Annexure 2**; and
- (g) A summary analysis of the recommended amendments in accordance with s 32AA, as **Annexure 3**.

[6] Where I have recommended further changes to the provisions in this Reply statement, I have considered whether I have scope to do so. For all recommended changes, I have provided footnotes in the marked up set of provisions in **Annexure 1**, which identify the submissions that I rely on for scope to make the recommended changes.

C. THE STRUCTURE PLAN APPROACH

- [7] During the Hearing, the Panel asked the reporting officers to respond to the following matters raised in relation to the Structure Plan:
- (a) confirm the level of prescriptiveness placed on individual elements, in terms of the locations shown;
 - (b) identify the appropriate level of 'directiveness' for these various elements, i.e. whether they should be categorised as 'fixed', 'flexible', or 'indicative';
 - (c) consider various consenting scenarios, including the potential for future applications to propose changes to the location of particular elements (e.g. a road), the addition of a new element or the lack of provision of an element currently shown on the Structure Plan, and how these scenarios would be assessed in demonstrating 'general accordance' with the Structure Plan;

- (d) consider the method of delivery, including whether a performance standard requiring 'in general accordance', along with the resulting activity status if general accordance is not achieved, are the most efficient and effective method of achieving the objectives of the plan change. This includes consideration as to whether the least restrictive activity status that will achieve the intended outcome has been adopted.

[8] With the assistance of the technical reporting officers,¹ I have undertaken this analysis, and the results are set out in Annexure 4 (Structure Plan elements review).

Prescriptiveness and directiveness

[9] As part of my analysis I have reflected on how the term 'general accordance' is applied in implementing a Structure Plan. While some minor variations are contemplated by a 'generally in accordance' with approach, those deviations should not result in the development being undertaken in a material differently way than described. In my view, this applies both spatially (in terms of location, scale and geographical extent) and in terms of development outcomes – that is, alignment with the relevant objectives and policies.

[10] The question was posed by the Hearing Panel as to how a 'general accordance' approach may apply to an element of the Structure Plan that was considered 'flexible'. I acknowledge there is an inherent tension in a feature being 'flexible' in terms of location, shape and size, but still needing to be delivered generally in accordance with the Structure Plan. For that reason, I recommend that:

- (a) Elements of the Aokautere Structure Plan that have little scope for change should be identified as 'fixed', with development needing to be in 'general accordance' with those elements. For example, fixed elements include the cross-sections, certain roading types and the stormwater perimeter swale.
- (b) Other elements that have a degree of flexibility in terms of their location, scale, size and design are not 'fixed'. Those elements are shown on the Structure Plan but are not labelled as 'fixed' or otherwise. For those

¹ In particular, Mr Burns, Ms Baugham, Mr Phillips and Ms Fraser.

elements, I recommend that the provisions (in particular the performance standards) are modified so that the assessment is on the degree of 'consistency'² with the Structure Plan, rather than a requirement to be in general accordance. Applications will be assessed (including their alignment with the Structure Plan) as a restricted discretionary activity and can be granted or declined on their merits, having regard to the outcomes sought for development in the area. I have recommended and drafted amendments to the provisions to reflect this.³

- [11] The main Structure Plan (Map 7A.4), street hierarchy and street types maps (Maps 7A.4A, 7A.4D) and the Precinct Plan (Map 7A.4C) have been amended to identify which elements are 'fixed'.
- [12] To better support an assessment of 'general accordance', I consider it would be helpful to provide some further and more targeted policy direction for assessments against the Aokautere Structure Plan. I recommend that the relevant policies are amended to describe how the fixed and other elements of the Structure Plan are to be implemented. I recommend that Policy 5.1 in Section 7A be amended to read:

5.1 To ensure subdivision layout and design includes the fixed Structure Plan elements (which are identified on Maps 7A.4, 7A.4A, 7A.4B, 7A.4C and 7A.4D) in the manner shown on is in general accordance with the Aokautere Structure Plan. Fixed Structure Plan elements must be in general accordance with the Aokautere Structure Plan.

- [13] In addition, a new policy should address the Structure Plan elements that are not fixed. I recommend a new policy as follows:

5.1A To ensure subdivision layout and design provides for the Aokautere Structure Plan elements that are not fixed, in a manner that is consistent with the Structure Plan. The location, extent and design of these Structure Plan elements may vary from that shown on the Aokautere Structure Plan, provided the development outcomes in the objectives and policies in

² I note this term was used in the notified provisions.

³ The relevant provisions are Section 7: Policy 3.7, Rule R7.14.2.1(f), Section 7A - Policy 4.7, Policy 5.8, Assessment criteria for R10.7.4.6 and R15.5.4.1.

Sections 7, 7A, 10, 11.10 and 15.5 are met.

- [14] I have recommended similar changes to Section 7, Policy 3.7.
- [15] Finally, I have recommended a new policy to provide direction on locating the stormwater detention ponds, given these are no longer fixed (as they require some flexibility in delivery for reasons explained by Ms Baugham⁴), but need to be sited in a manner that gives due consideration to several important matters. That policy reads:

5.1B Stormwater detention ponds must be provided and should generally be located as shown on the Aokautere Structure Plan. If an alternative location or design is proposed for a stormwater detention pond, it must:

- (i) be resilient to the effects of climate change and avoid increasing natural hazard risks on people, property or the environment;
- (ii) reflect any geotechnical constraints and be sited in accordance with geotechnical advice;
- (iii) avoid ecologically sensitive areas, including areas of indigenous vegetation and wetlands;
- (iv) take into account safety in design, including through construction, operation and decommissioning;
- (v) provide for ease of access and ongoing maintenance;
- (vi) manage adverse effects on visual amenity; and
- (vii) meet the stormwater management requirements in Policy 4.7.⁵

- [16] There are consequential amendments to Policies 4.7 and 4.9 which are necessary as a consequence of the changes I recommend above. I have provided for these in the updated provisions. The policies can be renumbered to reflect the naming conventions in the District Plan when the plan change is made operative.
- [17] I have also considered the PCG rules that require ‘general accordance’ with the Structure Plan as a performance standard. Presently, this occurs in two ways:
- (a) There is a ‘standalone’ performance standard associated with the rules for construction of buildings in the Local Business Zone (Section 11.10) and

⁴ Supplementary Statement of Allison Reiko Baugham (11 March 2024) at Section F.

⁵ S51.029, S77.010, S50.025.

subdivision in the Rural-Residential Zone (Section 7). This standard requires the proposed activity to be 'in general accordance with the Structure Plan'.

- (b) In Section 7A, the key subdivision rule R7A.5.2.2 includes a performance standard that a Comprehensive Development Plan (**CDP**) must be prepared in support of all subdivision applications in the Greenfield Residential Area. The CDP must detail "*how the design, layout and servicing of the Residential Area is in general accordance with the relevant Structure Plan*". In this standard, compliance is assessed by reviewing how the CDP demonstrates general accordance. This is an operative plan provision, not one introduced by PCG.

- [18] I recommend the approach used in Section 7A is adopted in the relevant rural-residential performance standard R7.15.2.1(f). In my view, this will provide greater certainty over application of the relevant criteria in determining activity status. I recommend that the performance standard should be amended to read:

(i) An application for Ssubdivision consent must be include a statement describing how the proposed development is consistent in general accordance with the Aokautere Structure Plan, including how the fixed and other Structure Plan elements are provided for in accordance with Policy 3.7.

- [19] I have also reviewed the activity status in the rules to ensure it reflects the least restrictive approach to achieve the required outcome, while also reflecting the criticality of the particular element which the rule addresses. As stated above at paragraph 10, the entry level activity status for rules that require 'general accordance' or 'consistency' with the Structure Plan is restricted discretionary. A non-complying activity status is now triggered if general accordance is not achieved for fixed elements. This reflects the criticality of managing the associated adverse effects and achieving the Structure Plan and PCG outcomes.⁶ A discretionary activity status is now triggered if consistency is not achieved for other elements which are not fixed.

- [20] Finally, to reduce the complexity of the assessment of compliance with the Structure Plans, the Structure Plan Maps have been simplified where possible. The Precinct

⁶ For example, if the perimeter swale is not provided, or the specified residential density in the Medium Density Village Area is not achieved, the activity status is non-complying.

Plan has been revised so that it includes just the essential components and their layout, and the footprints of the stormwater ponds have been stylised.

- [21] The updated Structure Plans are attached at **Annexure 1**.
- [22] A s32AA evaluation of the recommended changes to the provisions has been undertaken, which is summarised in **Annexure 3**.

Scenario testing

- [23] The Panel asked that I consider and test several suggested consenting scenarios. I have evaluated these scenarios on the assumption that the plan provisions incorporate the recommendations I make in this Supplementary Statement.
- [24] **Scenario 1 - if a development proposal included an entirely new road, which is not shown on the Structure Plan.** If the addition is a 'Local Street' (local streets are not 'fixed' elements on the Structure Plan) in a suburban low density residential area, provided it delivers vehicle and pedestrian connectivity (i.e. it is not a cul-de-sac), it is likely to be assessed as being 'consistent' with the Structure Plan⁷. If a new urban connector is proposed across a gully area zoned Conservation and Amenity, (i.e. in addition to the cross gully links on the Structure Plan), it is unlikely to be assessed as being consistent with the Structure Plan. While the gully connector roads Types C and D) shown on the Structure Plan are not 'fixed' elements (in recognition of the sensitive gully environments), Rule 15.5.4.1 applies. That rule applies specifically to works in the Conservation and Amenity Zone and provides only for those works (roading and essential services) shown on the Structure Plan.
- [25] **Scenario 2 – a road which is shown on the Structure Plan is not provided within a proposed development.** A similar analysis to the first scenario will apply. If an urban connector of Type A, B or E is shown on the Structure Plan but is not proposed to be delivered, that would be assessed as not in general accordance with the Structure Plan⁸. The urban connectors are considered critical to achieve connectivity, provide

⁷ However it will need to achieve general accordance with the Local Street Cross-section, as the cross-sections are fixed.

⁸ Noting that the Urban Connectors C and D are not fixed, because these are gully crossing roads.

for public transport and ensure there is resilience in the network. If the road not provided is a local street in a suburban corner of the Structure Plan (which is not a 'fixed' element and therefore there is some flexibility around whether and how it is provided for), the proposed development design may still be 'consistent' with the Structure Plan, provided that good connectivity for all road users is still achieved (i.e. there is close alignment with the policies).

- [26] In summary, the rule framework provides some flexibility in delivery of the Structure Plan, guided by the nature of the particular element and the degree of flexibility intended. A restricted discretionary activity status (as a minimum) allows for consideration of proposal that is more or less 'consistent' with the Structure Plan and retains the ability for the Council to grant or decline consent. Where things need to be delivered and they are not (i.e. 'fixed' elements), the default activity status is non-complying. In my view, the recommended amendments to clarify which Structure Plan elements are 'fixed' and related changes to the provisions to differentiate the management approach to fixed and non-fixed elements, provides an appropriate level of certainty to applicants and other plan users as to development that is likely to be appropriate, and what is not.

D. SECTION 32 ASSESSMENT

- [27] The level of detail in the Structure Plan has been challenged by submitters, with Mr Thomas questioning why (what he refers to as) the 'command and control' masterplan approach had not been tested against other options through the s 32 process; including a more high level approach, as taken with other Structure Plans within Section 7A.⁹ I consider the reasons why a detailed Structure Plan was considered necessary are clearly set out in the s 32 Report.¹⁰
- [28] I remain of the view that the Structure Plan, as now amended, is necessary to provide:

- (a) clear direction on the desired outcomes for the plan change;

⁹ See the Highlight Summary of Evidence of Paul Norman Thomas (5 December 2023) at paragraphs 11-13.

¹⁰ See section 2.2 - Why Aokautere, at page 10.

- (b) adequate regulatory control;
- (c) certainty of outcome;
- (d) appropriate integration with existing developed areas; and
- (e) to provide for management of the complex environmental issues which arise in this environment.¹¹

[29] The Panel also queried whether a standalone chapter had been considered for PCG, as part of the s 32 analysis.

[30] The s 32 Report¹² explains that the Council did not consider PCG to represent a significant change in approach to greenfield development under Section 7A, particularly at the level of the objectives and policies. While the changes proposed are specific to Aokautere, they were based on the existing structure plan approach introduced through Section 7A. Section 7A guides all greenfield development in the City. The s 32 considered four principal options,¹³ some of which were based on using the existing plan provisions, versus others with Aokautere-specific provisions.¹⁴ Therefore, in my view, while the option of a standalone chapter was not explicitly assessed, the s 32 assessment did address the option of ‘bespoke provisions’.

E. THE ROLE OF THE CONSERVATION AND AMENITY ZONE

[31] The Panel sought clarification of the following matters:

- (a) the role of the Conservation and Amenity Zone, and how it gives effect to the higher order statutory framework, including s 6 of the RMA matters, the NPS-IB, the NPS-FM and the RPS; and

¹¹ See Statement of Reply Evidence – Planning (28 November 2023) at paragraph 82.

¹² At page 45, paragraph 108

¹³ At page 46, paragraph 112.

¹⁴ One of those options was to “Rezone the Aokautere Structure Plan area to Residential, and introduce the Aokautere Structure Plan, with specific Aokautere provisions (objectives, policies and rules)”.

- (b) how geotechnical, landscape and natural environment values within the gully areas are accounted for and how these would be addressed when assessing proposed works in the gullies.

How the Conservation and Amenity Zone gives effect to the higher order statutory framework

- [32] As set out in my s 42A Report,¹⁵ the Conservation and Amenity Zone in the District Plan covers natural areas in the City that have high natural or amenity values and includes most of the City's walkway system. The purpose, as set out in Objective 1, is to recognise and protect the City's conservation and amenity reserves. The zoning recognises the function these areas provide for the District as areas of high natural, scenic and amenity value - including parks, reserves, walkways and esplanade reserves. These are likely to be areas that qualify as Significant Natural Areas (**SNAs**) or Schedule F habitats (under the RPS) within the gully network (areas to be zoned Conservation and Amenity), but these matters will continue to be addressed under those processes. Nothing in the zoning cuts across or interferes with those processes, which is what I understood Commissioner McGarry to be concerned with.
- [33] The District Plan seeks to recognise and protect the values of these areas by restricting the range of activities and associated development within the zone.
- [34] The policy direction in PCG includes:
- (a) protect the natural values and ecological function of the gully system and natural features in the Aokautere Greenfield Residential Area from inappropriate subdivision, use and development;¹⁶
 - (b) protect, restore and enhance areas of indigenous biodiversity and wetlands;¹⁷
 - (c) avoid or mitigate adverse effects of stormwater on the natural environment;

¹⁵ Section 42A Report – Planning (15 September 2023) at section 2.2.6, page 12.

¹⁶ See Section 7A, proposed Objective 6.

¹⁷ See Section 15.5.1, proposed Policy 1.5 and Section 7A, proposed Policy 6.4.

- (d) avoid adverse effects of subdivision, earthworks and development on the gully network, indigenous biodiversity and wetlands.¹⁸

- [35] I consider this policy direction gives effect to the higher order statutory documents, including s 6 (a) and (c) RMA, the NPS-IB, NPS-FM and RPS. I dealt with these matters at various sections in my s 42A Report.¹⁹ This policy direction is carried through into a strong regulatory framework. In particular in the Conservation and Amenity Zone, where only the roads, essential services and Primary Stormwater Elements²⁰ (which includes the in-gully stormwater mitigation works) necessary to give effect to the Aokautere Structure Plan, are provided for as a restricted discretionary activity.²¹ Any other works are a non-complying activity under R15.5.6.1.
- [36] I consider the proposed zoning of the gully areas and associated walkway system in PCG is consistent with the stated purpose of this zone in the District Plan (as set out at paragraph 32 above), and that the provisions proposed as part of PCG effectively direct appropriate development and restrict inappropriate development.

Indigenous biodiversity

- [37] As notified, PCG applied the Conservation and Amenity Zoning as a means to manage those elements of indigenous biodiversity that were allocated to territorial authorities by the operative RPS provision (Policy 6-2).²² In my view, the RPS provision now needs to also be read alongside the newly gazetted NPS-IB, which assigns the responsibility for managing significant natural areas²³ to territorial authorities. As noted in my s 42A Report,²⁴ PCG was notified prior to the NPS-IB coming into effect.

¹⁸ See Section 7A, proposed Policies 3.3 and 6.2.

¹⁹ Section 42A Report – Planning (15 September 2023) at page 27 - Table 3, page 59 - para 34, page 91 - para 39, page 240-241 - paragraphs 12-18, page 249 - paragraphs 51-55, and page 260 - paragraphs 17-20.

²⁰ See the recommended definition in Section 4.

²¹ See Rule R15.5.4.1 in Annexure 1.

²² Which apportions the majority of responsibility to the regional council, but with the ability for territorial authorities to use measures as they see fit to recognise the amenity, intrinsic and cultural values associated with indigenous biodiversity.

²³ Defined in the NPS-IB as: (a) any area that, after the commencement date, is notified or included in a district plan as an SNA following an assessment of the area in accordance with Appendix 1; and (b) any area that, on the commencement date, is already identified in a policy statement or plan as an area of significant indigenous vegetation or significant habitat of indigenous fauna

- [38] The recommendations I propose to the provisions in this Statement seek to bring PCG more in line with the NPS-IB, by adding policy direction on maintaining and restoring indigenous biodiversity values within the PCG area, alongside the protection of indigenous biodiversity for its amenity, intrinsic or cultural reasons, as provided for by Policy 6-2 of the RPS and consistent with its duties under s 7(d) of the RMA. I consider it is appropriate to bring PCG more in line with the most up-to-date higher order national policy direction, where there is scope within submissions to do so.
- [39] I consider the submissions from Rangitāne o Manawatū and Forest and Bird give scope to make some changes to the proposed objectives and policies to assist in giving effect to the NPS-IB. I recommend the following amendments:
- (a) All references to ‘indigenous forest remnants’ are changed to ‘indigenous biodiversity’;
 - (b) Objective 6 and Policy 6.4 in Section 7A are amended to include the requirement to “maintain” indigenous biodiversity, consistent with the objective of the NPS-IB;
 - (c) Policy 3.3 in Section 7A is amended to insert the words “and development”, so that this policy applies more broadly, beyond just earthworks;
 - (d) Policy 1.7, Section 15.5 is amended to “*recognise the obligation and responsibility of care that tangata whenua have as kaitiaki of indigenous biodiversity*” and “*the role of people and communities (including landowners) as stewards of indigenous biodiversity*”;²⁵ and
 - (e) The assessment criteria in R15.5.4.1 are amended to be more consistent with the effects management hierarchy in the NPS-FM.
- [40] I do not consider it is appropriate to go as far as formally scheduling the indigenous forest areas as SNAs, as was requested by Forest and Bird. I consider this change

(regardless of how it is described); in which case it remains as an SNA unless or until a suitably qualified ecologist engaged by the relevant local authority determines that it is not an area of significant indigenous vegetation or significant habitat of indigenous fauna.

²⁴ Section 42A Report – Planning (15 September 2023) at Section 1.1.3.1, page 241, paragraph 18.

²⁵ See the NPS-IB clause 1.5 (3) and the NPS-FM clause 1.3 and Policy 2.

would be beyond the scope of the notified plan change. The NPS-IB identifies that any assessment of areas that qualify as potential SNAs should be undertaken in accordance with a number of principles, one of which is ‘partnership’ – that is early engagement with tangata whenua and landowners and the sharing of information about indigenous biodiversity and management options.²⁶ It is my view that this process needs to occur to inform scheduling. The NPS-IB provides a 5 year window for plan changes to give effect to the SNA provisions of the NPS to be notified,²⁷ and therefore there is sufficient time to assess the appropriateness of an SNA designation for any of these areas as part of a subsequent and dedicated SNA plan change.

[41] I consider the PCG policy framework, as amended, has strong alignment with the NPS-IB policies, including with:

- (a) Policy 4 of the NPS-IB in relation to promoting resilience to climate change;
- (b) Policy 8 with respect to maintaining indigenous biodiversity outside SNAs;
- (c) Policy 13 with respect to promoting and providing for restoration of indigenous biodiversity;
- (d) Policy 14 with respect to promoting increased indigenous vegetation cover in both urban and non-urban environments; and
- (e) Clauses 3.5 and 3.6 with respect to the proposed approach to take into public ownership, replant the gullies with indigenous vegetation and provide for public access to these areas.

Natural Character

[42] With respect to the preservation of natural character of wetlands, rivers and their margins and their protection from inappropriate subdivision, use and development (s6(a) of the RMA), this matter is addressed in my s 42A Report.²⁸ The margins of the

²⁶ See NPS-IB, clause 3.8.

²⁷ See NPS-IB, clause 4.2.

²⁸ Section 42A Report – Planning (15 September 2023) at page 39 in relation to an assessment against Objective 6-2 of the RPS and at pages 43-44 in relation to an assessment of the Rangitāne o Manawatū Environmental Management Plan and its relevance to PCG.

rivers within the plan change area are already modified, including by bank erosion, earthworks, weed species, and hard structures such as culverts.²⁹ The Landscape and Natural Character Assessment³⁰ does not identify these margins as having outstanding natural character or a high degree of natural character, so avoidance of all adverse effects under Objective 6-2 and Policy 6-6 of the RPS is not required.³¹

[43] The Landscape and Natural Character Assessment concluded that, although modification through development would ‘inherently’ have an adverse effect on natural character, PCG provides an opportunity to balance the potential adverse effects by protecting the gully systems from further development and stormwater issues and by enhancing the gullies through restoration work, including native planting.³² In the hearing, Mr Hudson confirmed that, in his view, the plan change proposal would improve the natural character of the gullies.³³

[44] The Landscape and Natural Character Assessment found that the plan change was consistent with the RPS provisions, including Policy 6-8 and 6-9³⁴ from a landscape perspective, as it would not significantly disrupt natural processes or existing ecosystems and would provide for the restoration of natural character in the gully systems, which would improve natural character.

[45] Some development will take place in the river margins, waterbodies and the beds of rivers as a result of PCG. This includes the three proposed gully road crossings and the proposed in-gully stormwater mitigation works in Gullies 1 and 3. I have reviewed the policy considerations in Objective 6-2, Policy 6-8 and 6-9 of the RPS. In my view the approach in PCG is consistent with this policy direction. The Conservation and Amenity Zone provisions adopt a stringent approach to prevent ‘inappropriate’ development in waterbodies and their margins, other than the roads, essential

²⁹ Landscape and Natural Character Assessment for the Aokautere Plan Change, September 2023, paragraphs 56-59, page 18 – Attachment 1 to the s 42A Report – Landscape (15 September 2023).

³⁰ Landscape and Natural Character Assessment for the Aokautere Plan Change, September 2023, para 126, pg 30.

³¹ See Objective 6-2, clause b of the RPS.

³² See paragraphs 115-115, page 28 of the Landscape and Natural Character Assessment, September 2023.

³³ In response to questioning from Commissioner McGarry on 5 December 2023.

³⁴ See paragraphs 127 - 128, page 30 of the Landscape and Natural Character Assessment, September 2023.

services and Primary Stormwater Elements (i.e. the in-gully stormwater mitigation works) that are necessary to give effect to the Aokautere Structure Plan, i.e. those which have a 'functional necessity'³⁵ to be located in or near these areas to service development.

[46] At the Structure Plan level, the location of the works and concept design reflects a form and scale which is compatible with existing levels of modification to this environment (from a landscape perspective)³⁶. Dr Forbes has not undertaken a detailed ecological assessment of freshwater effects as this will be addressed through a subsequent resource consenting process with Horizons Regional Council. However, he has identified the freshwater values (at a high level) and constraints associated with each of the streams in the plan change area and provided ecological advice which has informed the approach to managing effects of development enabled by PCG on freshwater values (in particular in relation to the Stormwater Management Strategy and concept design).³⁷

[47] At the detailed design stage, and consistent with the policy framework in PCG, it is considered that the necessary stormwater and road crossing works can be designed to be compatible with existing landforms and vegetation, and to ensure they will not significantly disrupt natural processes or existing ecosystems.

Freshwater management

[48] The concept design of the proposed stormwater mitigation works took into account natural character and NPS-FM requirements, including the policy direction to:

- (a) adopt an integrated approach that considers the effects of the use of development of land on a whole-of-catchment basis, including the effects on receiving environments (NPS-FM Policy 3);

³⁵ Policy 6-9 of the RPS states subdivision, use or development must generally be considered appropriate if has a functional necessity to be located in or near the river and no reasonably practicable alternative locations exist.

³⁶ See paragraph 128, page 30 of the Landscape and Natural Character Assessment, September 2023.

³⁷ See s 42A Report – Ecology (15 September 2023), at Section F – Assumptions and Methodology and 5.2.

- (b) improve the health and wellbeing of degraded water bodies and freshwater ecosystems (Policy 5);
- (c) avoid the loss of river extent and values to the extent practicable (Policy 7);
and
- (d) to manage effects on freshwater values by applying the effects management hierarchy.

[49] As stated above, these matters will be addressed further through any necessary regional council consenting process required to authorise and construct these works. However, the proposed stormwater approach was purposefully designed to:

- (a) address the effects of land use development and associated run-off of stormwater on the receiving environment in an integrated manner, by preparing a Stormwater Management Strategy and stormwater concept design for the entire PCG area.³⁸ In turn, developer's individual stormwater management plans must implement the specified design criteria in the Strategy³⁹ (through compliance with the performance standards in the rules)⁴⁰;
- (b) improve the health and wellbeing of the currently degraded gully system waterbodies by reducing erosion, scouring, and deposition of sediment, by preventing the direct discharge of stormwater,⁴¹ and undertaking stabilising planting of stream margins;⁴²
- (c) adopt mitigation methods that would avoid the loss of stream extent and values wherever practicable (i.e. by using off-line ponds where practicable, below ground dams and cascade weirs with suitable fish passage);⁴³ and

³⁸ See paragraphs 36-38 of the s 42A Report – Stormwater (15 September 2023).

³⁹ See paragraph 34 of the s 42A Report – Stormwater (15 September 2023).

⁴⁰ See R7A.5.2.2 (g) Water Sensitive Design in the Aokautere Greenfield Residential Area.

⁴¹ See para 55 of the S 42A Report – Stormwater.

⁴² See para 32-33 of the S 42A Report – Stormwater.

⁴³ See para 54, 56 of the S 42A Report – Stormwater.

(d) where adverse effects could not be avoided, by applying the effects management hierarchy, including, for residual effects, a high level analysis of the ability to undertake freshwater offsets within the affected catchments.⁴⁴

[50] As a result, the health and wellbeing of these water bodies, which are degraded as a result of previous land use and development, is expected to improve.

Other Part 2 RMA matters – public access to and along rivers, outstanding natural features and landscapes.

[51] With respect to other relevant Part 2 RMA matters, proposed Policy 5.13 in Section 7A of the PCG provisions provides for ‘high quality physical connections to open space, waterways, existing biodiversity corridors and natural gully systems’. This policy addresses s 6(d) RMA matters, i.e. maintenance and enhancement of public access to and along rivers. Figure 1 in the s 42A Report – Parks and Reserves⁴⁵ details the proposed walkway network for the plan change area, and includes provision for public access to the gully networks and associated waterways.⁴⁶ Facilitating public access to and across the gully network was a key driver for the Structure Plan layout and plan change.

[52] With respect to s 6(b) of the RMA, there are no scheduled outstanding natural features or landscapes within the PCG area.

Landscape values, natural hazards and geotechnical constraints

[53] The Panel sought clarification as to how geotechnical, landscape and natural environment values within the gully areas are accounted for and how these would be addressed when assessing proposed works in the gullies.

[54] Consideration of geotechnical constraints, the risks of natural hazards and the potential for adverse effects on natural landforms/landscape values are provided for

⁴⁴ See paragraphs 54, 58 of the s 42A Report – Stormwater (15 September 2023) and paragraph 31 of the s 42A Report – Ecology (15 September 2023).

⁴⁵ Section 42A Report – Parks and Reserves (15 September 2023) at page 7.

⁴⁶ Noting that the viability of some walkways in the steeper gully areas will need to be confirmed via further site-specific assessment, see paragraph 36 of the s 42A Report – Parks and Reserves (15 September 2023).

through both the operative District Plan and proposed PCG policy framework, including specifically in relation to the potential effects of earthworks on these matters. Relevant provisions include:

- (a) Section 6.3.3 - Policies 1.1, 1.2 and 1.4;⁴⁷
- (b) Section 7 - Policy 2.4.6;
- (c) Section 7A - proposed Objective 6 and Policies 6.1, 6.4 and 6.5;
- (d) Section 10 - proposed Policies 15.9, 15.12 and 15.14;
- (e) Section 15.5 - Policies 1.1, 1.2, 1.5; and
- (f) Section 22 - Objective 2, Policies 2.1 and 2.5.

[55] Rule 15.5.4.1 which provides for roading and essential services within the Aokautere Structure Plan on land zoned Conservation and Amenity Zone, includes natural hazards, earthworks, design and appearance, and effects on the gully network in Aokautere as matters of discretion. The assessment criteria address matters such as how the design and construction will manage natural hazard effects, and the extent to which the location and scale of earthworks will adversely affect the gully networks.

[56] On the basis of Mr Bird's expert advice, I made a recommendation in my s 42A Report that, given the steepness of these areas, a geotechnical assessment should inform any works in the gully areas in the Conservation and Amenity zone. The s 42A recommendation included inserting a performance standard under R15.5.4.1 requiring a geotechnical assessment to identify the features and constraints of the land, any associated hazards, and how those should be addressed.⁴⁸ I have subsequently recommended a couple of further minor changes to that standard to ensure the geotechnical assessment informs the stormwater management design.

⁴⁷ These policies seek to "limit the location and scale of earthworks where adverse effects may result", to "avoid, remedy or mitigate any adverse effects of earthworks on natural land form, landscape values, visual amenity values" and on "natural hazards and processes", and that "earthworks should not increase the risk posed by natural hazards".

⁴⁸ See s 42A Report – Planning (15 September 2023), at Section 1.1.2, pages 113-114, paragraphs 10-12.

Where works are proposed as part of a subdivision application, the reporting requirements in R7A.5.2.2 in relation to geotechnical assessment and reporting will apply.⁴⁹

- [57] The permitted activity rule for earthworks in Section 6 of the District Plan (R6.3.6.1) does not include any dedicated performance standards (i.e. volume or depth thresholds) for earthworks in the Conservation and Amenity Zone. Earthworks within the Conservation and Amenity areas of the Aokautere Structure Plan that are not directly associated with the maintenance of reserves or construction of structures for informal recreation,⁵⁰ construction of walking tracks,⁵¹ or roading and essential services to give effect to the Aokautere Structure Plan,⁵² will be a non-complying activity under R15.5.6.1.⁵³ This approach reflects the importance of the gully network, and the objectives of the Conservation and Amenity Zone. To ensure this is explicit, I have recommended the addition of a reference to Rule R15.5.4.1 in that rule.
- [58] Having reflected on the matters raised by the Commissioners in questioning of Mr Hudson, I consider that further minor amendments would give the natural landforms in Aokautere and their associated landscape values greater prominence in the proposed provisions. The amendments I recommend also make it clearer that works in the gully areas should only be enabled where these are necessary to “give effect” to the Structure Plan. I have therefore recommended amendments to proposed policies 1.5 and 1.6 in Section 15.5, to Policies 6.2 in Section 7A and 15.12 in Section 10 and to Rule R15.5.4.1 so that effects on the landscape, conservation, amenity, cultural and indigenous biodiversity values associated with the gully networks are a matter to which discretion is reserved in assessing roading and essential services proposals, including the in-gully stormwater mitigation works (Primary Stormwater Elements).

⁴⁹ Subject to my recommendation at paragraph 61 below.

⁵⁰ See R15.5.3.1.

⁵¹ See R15.5.3.4.

⁵² R15.5.4.1.

⁵³ As they are not otherwise provided for as a permitted, controlled, restricted-discretionary or discretionary activity in the Conservation and Amenity Zone.

- [59] I consider there is scope to make these further changes in the submissions from Rangitāne o Manawatū (S77), Brett Guthrie (S41), Anthony & Rosemary Gear (S39) and others.

The Conservation and Amenity Zone and Section 7A

- [60] Submitters have raised concerns about implementation and have queried the timing of the subdivision and vesting process for the gullies.⁵⁴ PCG, as notified, intended for the boundary of the zone to be confirmed on subdivision.⁵⁵ This is consistent with the intention of Section 7A to enable subdivision (Section 7A.1 notes that the Structure Plans “direct subdivision and provide for neighbourhood centres and public open spaces”). In my view, the PCG Section 7A objectives and policies should be applied in assessing subdivision proposals in the PCG area, in particular to ensure that any application is assessed against the provisions that address adverse effects on the gully systems, landforms, stormwater, indigenous biodiversity etc.
- [61] While the operative definition of ‘Greenfield Residential Area’ in Section 4 refers to any area shown within the specified Structure Plans, the operative and proposed subdivision rules in Sections 7 and 7A do not explicitly provide for subdivision in the Conservation and Amenity Zone. I do not consider this to be consistent with the intention of PCG, as notified. To achieve alignment across the various District Plan sections, I recommend the ‘Greenfield Residential Area’ depicted on the Structure Plan Map 7A.4 (by an orange outline) is amended to include the Conservation and Amenity Zone areas. This achieves consistency with the definition and ensures these areas are within the Aokautere Greenfield Residential Area and therefore subject to the section 7A provisions. In addition, I recommend that a Note is inserted in relation to Rule R7A.5.2.1 and R7A.5.2.2 to alert plan users that these rules apply to all zones within the Aokautere Greenfield Residential Area shown on Map 7A.4. These recommended amendments restrict the scope of this change to the PCG area only.

⁵⁴ Statement of Evidence of Paul Norman Thomas (27 October 2023) at paragraph 87, and Statement of Evidence of Christle Pilkington (27 October 2023) at paragraphs 51-59.

⁵⁵ The s 32 Report, at page 3 refers to the vesting and rezoning of the gully network to Conservation and Amenity Zone, and states that the boundary of the zone will be confirmed on subdivision.

[62] I consider I have scope to make these recommendations in the submissions from PNIRD (S45) and Ngawai Farms Limited (S61) and the Council's own submission (S50), which identified the inconsistencies between the definitions in Section 4, and the annotations on the Structure Plan.⁵⁶

F. RESPONSE TO THE REQUEST FOR ALTERNATIVE ROADING CONNECTIONS AND REZONING OF LAND AS RURAL-RESIDENTIAL BY PNIRD (S45)

[63] In Minute 7 dated 18 December 2023, the Panel requested that the Council give further consideration, and respond in reply, to any additional evidence provided by PNIRD to support:

- (a) the proposed alternative 'Terrace Link' Road and 'Gully 9' connections;
- (b) the request to rezone the portions of land with the Green Block labelled Area A and Area B to be within the Rural-Residential Overlay.

[64] Along with other experts in the Council's reporting team, I have reviewed the additional information provided by PNIRD on 18 and 24 January 2024. In particular, the following matters have been considered with regard to the proposal: geotechnical hazards and slope stability (Mr Bird), ecological constraints (Dr Forbes), natural character, landscape values and sensitivity (Mr Hudson), appropriateness of the cross-section and degree of alignment with PCG requirements in terms of safety of all road users, connectivity and efficiency (Ms Fraser), impact on the Structure Plan layout and lot access (Mr Burns), and flood risk and stormwater management (Ms Baugham).

Turitea Valley Terrace Link Road

[65] For the purposes of this assessment, the submitters' requested alignment is referred to in two parts, the 'upper section' - being the section between Valley Views Road and the plateau, and the 'lower section' - being the section between Valley Views Road and Turitea Road.

⁵⁶ The relevant submission points being S45.010, S45.011, S61.001, S50.004, S50.025.

- [66] Dr Forbes has visited the site to provide an assessment of the ecological constraints associated with the zoning request for Area B.⁵⁷ As described in his Supplementary Statement, Dr Forbes does not support the lower section of the submitters requested alternative link road.⁵⁸ The alignment dissects a natural inland wetland, and would have significant adverse effects on Schedule F habitat as identified within the One Plan.⁵⁹ However, the upper section of the proposed link road (between Valley Views Road and the plateau) is not expected to have any adverse effects on the wetland, and therefore, Dr Forbes could support this section of the road alignment.⁶⁰
- [67] The presence of the natural wetland means that Mr Hudson does not support the lower section of the requested link road either. In his view, routing the road through a natural wetland would have an adverse impact on the landscape values associated with that natural feature.⁶¹ However he would support the upper section (from Valley Views Road to the plateau), as it provides a more direct route which is anticipated to generate less cut and fill. On that basis, it would have a lesser impact on the landform than the notified alignment.⁶²
- [68] Mr Bird notes that the upper section of the requested link road will pass through an area of Limited Developable land as it climbs the terrace and, as the alternative route is more direct, it will have steeper gradients. However, the road will be subject to the same controls through PCG as any development on Limited Developable land (i.e. a requirement for engineering investigation and analysis including a geotechnical assessment and adoption of measures to ensure there is no exacerbation of existing hazards, or generation of new hazards).⁶³ Mr Bird is satisfied that these controls are appropriate to manage the effects that the requested alternative road alignment may have on geotechnical hazards. However, he notes that the lower section proposed through the low lying area adjacent to Turitea Road would need to address the

⁵⁷ I discuss this further at paragraph 82 below.

⁵⁸ Supplementary Statement of Dr Adam Forbes (11 March 2024) at paragraph 20.

⁵⁹ Dr Forbes has assessed the wetland as qualifying as a rare habitat under Schedule F.

⁶⁰ Supplementary Statement of Dr Adam Forbes (11 March 2024) at paragraph 19.

⁶¹ Supplementary Statement of John Hudson (11 March 2024) at paragraph 16.

⁶² At paragraph 16.

⁶³ Supplementary Statement of Eric Bird (11 March 2024) at paragraphs 12-15.

hazards (settlement, shallow groundwater, possible liquefaction) associated with these ground conditions (i.e. swampy, waterlogged, soft and peaty soils).⁶⁴

- [69] Ms Fraser notes that the upper section of the alignment between Valley Views Road and the plateau will require some consequential changes to the road hierarchy at the tie in point on the plateau, and through relocation of the 'break' in the road to provide for active modes only, until the Valley Views intersection with Turitea Road is upgraded.⁶⁵ These amendments have been incorporated into the updated Structure Plan.⁶⁶ Ms Fraser notes that, due to the challenging gradients (1 in 8), careful consideration will need to be given during detailed design to grade transitions, and sightlines⁶⁷ and consideration should be given to provision of a footpath.⁶⁸ These matters can be appropriately addressed at the consenting stage via the performance standard which requires the street cross sections in the Structure Plan to be provided, the matters of discretion under rural-residential subdivision rule R7.15.2.1 (which include 'effects on the safe and efficient operation of the road network'), and assessment against Section 7 proposed Policy 3.7, which requires a 'safe and legible internal transport network'.
- [70] Ms Fraser does not support the lower section of the requested alignment between Turitea Road and Valley Views Road as the link would increase the length of Turitea Road which would be subject to additional traffic activity from rural-residential development. Her preference is that additional traffic generated by development in this area obtains access to Turitea Road via the existing section of Valley Views Road.⁶⁹
- [71] Mr Burns has identified that the requested alignment of the Valley Views Extension Road would make it difficult to achieve the specified minimum lot size on the south western side of the proposed road, and on that basis, he does not support that alignment.⁷⁰

⁶⁴ Supplementary Statement of Eric Bird (11 March 2024) at paragraphs 15-16.

⁶⁵ Supplementary Statement of Harriet Fraser (11 March 2024) at paragraphs 19-20.

⁶⁶ As described in Supplementary Statement of Andrew Burns (11 March 2024), at Table 1.

⁶⁷ Supplementary Statement of Harriet Fraser (11 March 2024) at paragraph 21.

⁶⁸ At paragraph 22.

⁶⁹ At paragraph 24.

⁷⁰ See Table 1 – Supplementary Statement of Andrew Burns (11 March 2024).

- [72] On the basis of the expert advice provided, I have recommended that the upper section of the alternative link road alignment requested by the submitter is accepted, but that the lower section is not accepted. I consider the lower section that traverses the natural inland wetland would likely be contrary to the NPS-FM, NES-FW and/or the One Plan, and for those reasons I do not support it.
- [73] I do not support the requested alignment of the Valley Views extension road because the proposed alignment would result in rural-residential lot sizes that are not consistent with the specified minimum lot size for areas within the Rural-Residential Overlay (in the operative District Plan provisions).
- [74] The Structure Plan has been amended to reflect these recommendations.

Gully 9 Road Connection

- [75] Ms Fraser has identified that there are no consequential changes to the roading alignment or roading classification arising from the submitter's requested alternative Gully 9 alignment, but again notes there will be challenging gradients of 1 in 8, and therefore at the detailed design stage, careful consideration will need to be given to the horizontal curves. While there is no provision for pedestrians, this will be a low volume, no-exit, local rural road, and therefore Ms Fraser is satisfied that pedestrians can be safely accommodated on the road shoulders, without requiring a separate footpath. These matters can be addressed further at the resource consent stage.⁷¹
- [76] Dr Forbes has reviewed the alternative crossing at the upper part of Gully 9. At that location, he identifies that the water body in the gully has an ephemeral hydroclass (i.e. it is not considered a river for the purposes of the RMA/NPS-FM). The vegetation is predominantly exotic pasture with some early stage regenerating manuka/kanuka. Dr Forbes' view is that the ecological effects would be manageable and in principle, he supports a discrete crossing point at that location, provided that broadscale filling of the wider gully area would not be required.⁷²

⁷¹ Supplementary Statement of Harriet Fraser (11 March 2024) at paragraphs 26-29.

⁷² Supplementary Statement of Dr Adam Forbes (11 March 2024) at paragraph 18.

- [77] Mr Hudson is also supportive of the alternative Gully 9 alignment, provided that it is accompanied by a design that mimics the dip in the landform as the road crosses the gully, and that adopts a minimal footprint, as far as engineering standards allow.⁷³
- [78] Similar to his position on the Terrace Link Road, Mr Bird has indicated that any gully crossing would pass through steep, Limited Developable land. In his view, however, the PCG controls provide sufficient scope to manage the effects on geotechnical hazards. For this reason, as with the Terrace Link Road, Mr Bird does not oppose the crossing.⁷⁴
- [79] On the basis of the expert advice provided, I support the submitter's request for the alternative alignment across Gully 9. The Structure Plan has been amended to provide for this alternative alignment.

Rezoning of land on the south-western boundary of the Green Block as Rural-Residential (Area A)

- [80] PNIRD (S45) have requested that an area of approximately 7.5 hectares adjacent to Turitea Road is included within the Rural-Residential Overlay. This area is currently zoned Rural and occupies a low terrace associated with the Turitea Stream. On behalf of the submitter, Resonant submitted a contours plan dated 15 January 2024, showing a 'developable area' of approximately 2.3ha, located at the southern end 'Area A'. The developable area corresponds with the area of land above the 73m contour. Based on the contours plan provided, the low-lying area to the northwest appears to be around 6m lower, at its lowest extent.
- [81] I have sought advice from the Council's experts as to whether there are any constraints to the rezoning of this land.
- [82] Dr Forbes has recently visited the site and identified that the low-lying area is occupied by a natural inland wetland of a size and species composition that would qualify as a 'rare' indigenous habitat under Schedule F the One Plan. Dr Forbes has identified the extent of this wetland and associated features, including seepages on

⁷³ Supplementary Statement of John Hudson (11 March 2024) at paragraph 18.

⁷⁴ Supplementary Statement of Eric Bird (11 March 2024) at paragraphs 18-19.

the terrace riser, which support the wetland hydrology.⁷⁵ Dr Forbes' advice is that these features should be protected from rural-residential development through the imposition of Conservation and Amenity Zoning, and has provided mapping to support this recommendation.⁷⁶

[83] Mr Bird has reviewed the geotechnical evidence provided on behalf of the submitter. He has advised that, as per his earlier reporting, the land is likely to be subject to hazards associated with the low lying land in close proximity to the Turitea Stream, such as settlement, liquefaction, soft ground and shallow groundwater. His advice is that the elevated land identified as 'developable' will likely have deeper groundwater, and so may not be subject to the same geotechnical issues as the lower lying portion of the site. As such he would support the 'developable' portion of Block A being zoned as rural-residential.

[84] However, as Mr Bird's previous reports have indicated, (and analysis of photos taken during Dr Forbes site visit has confirmed), the lower area is a water-logged, swampy area. It is likely to be subject to geotechnical hazards associated with soft, low-lying ground and shallow groundwater. As a result, Mr Bird does not support this low lying area being zoned as rural-residential.⁷⁷

[85] Mr Hudson also does not support rural-residential zoning of the low lying area, because of the presence of the natural inland wetland. His advice is that it is important for landscape character that remnants of natural processes are retained. Equally, Mr Hudson considers it important for natural character, that natural wetlands and water features associated with the Turitea Stream are retained. He does not have any landscape concerns regarding the area identified as 'developable' by the submitter.⁷⁸

[86] Ms Baugham has reviewed the potential for flood risk to the land. Her Supplementary Statement describes the available information on flood risk from the

⁷⁵ Supplementary Statement of Dr Adam Forbes (11 March 2024) at paragraphs 22 – 35.

⁷⁶ At paragraph 35.

⁷⁷ Supplementary Statement of Eric Bird (11 March 2024) at paragraphs 20-28.

⁷⁸ Supplementary Statement of John Hudson (11 March 2024) at paragraph 8.

Turitea Stream and stormwater overland flows, and the associated risks to the site.⁷⁹ These are particularly associated with the northern corner of Area A, which is subject to inundation from overland flows towards the Turitea Stream. Her advice is that based on the modelling to date, the 'developable land' identified in Area A does not appear to be at risk of inundation from rainfall within the catchment in a 1% AEP event, or from flood levels in the Turitea Stream in the 0.5% AEP event.⁸⁰

[87] Ms Baugham also notes that Area A is downstream of the Turitea Dams, and would be subject to inundation in the unlikely event of a dam breach. However, given the current dam condition assessment, the frequency of inspections carried out, and the requirement to maintain the dams to the highest possible safety standard due to their dam classification ('High'), the probability of dam failure is considered very low. Subsequently, the 'developable area' could be rezoned as part of the plan change, given it is only likely to yield 1 or 2 lots.⁸¹ At the resource consent stage, appropriate mitigation such as minimum floor levels, designated overland flow paths, evacuation routes, etc can be determined. Based on the modelling available, Ms Baugham does not recommend that the low-lying area outside the 'developable area' is zoned for rural-residential use.

[88] Taking into account the matters described above, it is my recommendation that the following zoning is adopted for Area A:

- (a) the 'developable area' above the 75m contour is rezoned to be within the Rural-Residential Overlay;
- (b) the area identified by Dr Forbes is zoned Conservation and Amenity Zone; and
- (c) the remaining areas are retained as Rural Zone (as per the operative zoning).

[89] The Structure Plan has been updated accordingly.

⁷⁹ Supplementary Statement of Allison Reiko Baugham (11 March 2024) at paragraphs 22-29.

⁸⁰ At paragraph 35.

⁸¹ At paragraph 35.

Rezoning of land on the north-eastern boundary of the Green Block as Rural-Residential (Area B)

- [90] The submitter has also requested rural-residential zoning over the 8.5ha area identified as 'Area B'. I have reviewed the operative zoning and agree with the submitter that this area represents an anomaly in the zoning. It is surrounded by land that, under the Operative District Plan, would be enabled for rural residential development. The land to the north lies within the Aokautere Rural-Residential Area and land to the east and south within the Rural-Residential Overlay. While 'Area B' is approximately 8.5ha, it is part of a much larger continuous parcel of land which is proposed to be zoned under PCG as a combination of Residential, Recreational Zone, Rural-Residential Overlay and Conservation and Amenity Zone.
- [91] If the Rural-Residential Overlay is not applied over this part of the parcel, subdivision of this area of land to enable development of the wider parcel would trigger a non-complying activity, as an undersized rural lot (the minimum rural lot size is 20ha). Review of the NZLRI Land Use Capability 2021 database indicates that the land is Class E land, meaning that it would not fall within the definition of Highly Productive Land under the National Policy Statement on Highly Productive Land 2020. There does not appear to be a strong policy justification for retaining this land as productive land.
- [92] Zoning of this area as Rural-Residential would be unlikely to result in a significant change to the currently rural character of the land. The conceptual development plan provided by Resonant (dated 15/01/2024) identifies three housing sites, within three indicative lots of 2.4ha, 1.7ha and 4.6ha. If the land was developed, these lots would be larger than the minimum 1 ha lot size, reflecting the topographical constraints and limited opportunities to provide safe building platforms and access. As such, I do not expect that the land would be intensively developed.
- [93] From a zoning perspective, it would seem appropriate to enable this land to be developed in a manner consistent with the surrounding land.
- [94] I have also sought advice from the Council's experts as to whether there are any constraints that should be considered before making this recommendation. I note:

- (a) Mr Bird has advised in his Supplementary Statement that this area of land falls within two different geologies. To the south, there is a small portion of elevated land which has the same geology as the Waters Block, and this area is 'Developable Land' (as defined by the District Plan). To the north, the land has the same geology/geomorphology type as the neighbouring elevated terraces and has the same slope instability challenges, with much of the area in question being 'Limited Developable Land'. However, there is an area of elevated 'Developable Land' on the promontory between gully 9 and the unnamed gully within the area proposed for rezoning (now labelled gully 19), that may have sufficient area to accommodate a building platform. The conceptual development plan (showing existing contours) provided by Resonant corroborates this advice. Mr Bird has advised that the proposed geotechnical controls in PCG are sufficient to manage the geotechnical hazards in this area.⁸²
- (b) Dr Forbes has identified that there are some ecological constraints within or adjacent to this land, including the headwaters of a wetland, which lies above this area and within the Waters Block (labelled G17 on the Structure Plan). This wetland headwater then transitions to an ephemeral then intermittent waterway that passes through Area B and on to the boundary of the plan change area. There is approximately three hectares of gully landform within Area B. This gully is in early-stage regeneration (mānuka/kānuka) and has potential for further regeneration if this area was protected. Given the scale of the gully and the combination of upstream wetland and early-stage regeneration, Dr Forbes recommends Conservation and Amenity zoning of this gully (gully 19).⁸³
- (c) Mr Hudson has reviewed the conceptual development plan provided by Resonant and supports the proposed lot layout, from a landscape perspective. He considers this represents an appropriate continuation of the development pattern proposed for the plan change area (via the Structure

⁸² Supplementary Statement of Eric Bird (11 March 2024) at paragraphs 6-11.

⁸³ Supplementary Statement of Dr Adam Forbes at paragraph 36.

Plan), that is residential development of the plateaus and protection of the gully landforms.⁸⁴

- [95] The submitter has requested Rural-Residential zoning over those parts of the land currently zoned Rural. As noted, the ecological advice is that some of this land (i.e. the gully landform) should be zoned for Conservation and Amenity. While the submission only requests rural-residential zoning, Ms Pilkington states in her hearing statement⁸⁵ that she accepts that the adjacent gullies 8 and 9 should be zoned as Conservation and Amenity Zone, as per the Council's recommendation. This suggests (in my view) a broader acceptance of the protection of the gully landforms.
- [96] Review of the conceptual development plan for Area B demonstrates that the proposed building platforms, along with vehicle access to those platforms, can be provided outside of the extent of the Conservation and Amenity Zone recommended by Dr Forbes. I consider that dual zoning (rural-residential overlay over the majority of the area and Conservation and Amenity Zone over gully 19) is consistent with my understanding of the submitters development aspirations for this area.⁸⁶
- [97] The Structure Plan and Zoning Map has been updated accordingly.
- [98] I consider there is scope for the recommended changes via the submissions of Manawatū Forest & Bird S97, Rangitāne o Manawatū (S77), Prahandha Samal (S107), Mary Morgan-Richards (S13), Anthony & Rosemary Gear (S39), and Susan and Yann Le Moigne (S71). These submissions all seek protection and restoration of the gullies and indigenous habitats within the plan change area, including natural wetlands.
- [99] With respect to both Area A and B, adopting the recommended zoning is consistent with other rural-residential areas of the plan change, including on the adjacent Waters block, where the gully landforms, wetlands and forest remnants are all recommended to be zoned Conservation and Amenity Zone. In my view, failing to apply the

⁸⁴ Supplementary Statement of John Hudson (11 March 2024) at paragraph 11.

⁸⁵ Statement of Christle Pilkington (7 December 2023) at page 3.

⁸⁶ This reflects my understanding of the developer's aspirations. It has not been confirmed with PNIRD.

Conservation and Amenity Zone over the natural inland wetland in Area A or gully 19 in Area B, would also be at odds with the stated objectives for the plan change.

[100] However, if the Panel has a different view, I consider that the rural-residential provisions proposed through PCG provide greater scope to consider and provide for protection of the identified ecological values through a future subdivision application,⁸⁷ than the operative rural zone provisions. As such, if not rezoned Conservation and Amenity, a Rural-Residential zoning would be more in line with the stated objectives for the plan change for Area B (albeit, in my view, to a lesser extent than adopting the dual zoning I have recommended above). There are multiple hazards present on Area A, such that I would recommend Rural Zoning is retained for this area of land.

G. RESPONSE TO FURTHER INFORMATION PROVIDED BY SUBMITTERS AT THE HEARING

Ms Coats for Heritage Estates

[101] I have reviewed the further information provided by Ms Coats on behalf of Heritage Estates 2000 Ltd at the hearing on the 6 December 2023, which includes a table setting out view on whether my recommended changes satisfy the relief sought in her client's original submission. I understand the table to simply record Ms Coat's position on my recommendations. Unless addressed in the table below, I do not propose any changes to the recommendations in my s 42A Report (other than those set out in this Supplementary Statement).

Reference	Specific text	Ms Coat's response as to why this does not satisfy the original submission	My response
Section 7: Subdivision			
Map 7.1B Pacific Drive Extension Area		Not within the scope of PCG as notified. However this map in the OPD does not relate to any text and its purpose in the Plan and in relation to the notified PCG is confusing	Map 7.1.B relates to the Pacific Drive Extension Area and provision of an appropriate water supply to this area, with associated provisions in section 7 and 10. The map and associated provisions should be deleted as a clause 16 amendment, as the water supply has been provided and

⁸⁷ See for example policies 6.1, 6.2, 6.4, 6.6 and 6.7 in Section 7A, which are applied by Policy 3.7 in Section 7, which applies to the Rural-Residential Overlay Area.

Reference	Specific text	Ms Coat's response as to why this does not satisfy the original submission	My response
			these provisions are no longer required. I agree with Ms Coats it could cause confusion if retained. I dealt with the relevant provisions in Section 10 at page 303 of my s 42A Report. The necessary consequential amendments are included in the provisions appended to this Supplementary Statement.
Section 7A			
7A.2 Resource Management Issue 10.	"The effects of residential development on the natural environment, including gully networks and landform, landscapes and biodiversity and ecological values"	This is non-specific to Aokautere and therefore applies to Whakarongo and any other future residential growth areas.	Agree this text is non-specific and I have recommended an amendment so that the issue is specific to the Aokautere Greenfield Residential Area.
Policy 2.5	Amendments to bullet points 1-4	Bullets points 1-4 are not a consequential change due to PCG Aokautere. Bullet Point 4, with the use of the word compatible, does not suggest "in general" with accordance of any relevant Structure Plan. The word compatible creates a higher threshold test for Whakarongo Residential Area, Kikiwhenua Residential area, in addition to PCG Aokautere, and cannot be considered and therefore not a consequential change.	I addressed this policy broadly at pg 58 of my s 42A Report, but not in detail. All of the Greenfield Residential Areas are subject to Structure Plans, but not all include neighbourhood centres. Any proposal must provide a Comprehensive Development Plan that details how the design, layout and servicing of the Greenfield Area is in general accordance with that structure plan under performance standard R7A.5.2.2(a), including "(iv) the proposed mix of residential, commercial and recreational activities". Therefore I do not consider that the proposed change is beyond the scope of the plan change. I disagree that the word 'compatible' creates a higher threshold test, and consider 'in general accordance' would set a higher bar. I do not recommend any changes to the proposed wording of the provision as

Reference	Specific text	Ms Coat's response as to why this does not satisfy the original submission	My response
			<p>notified.</p> <p>I have recommended that the term "consistent with" is used in the provisions where there is potential for some deviation in location, design or extent of a Structure Plan feature to be accommodated, where provision of that feature would not be required to meet a strict general accordance test.</p>
Objective 4	The addition of "which does not result in adverse effects on the environment"	Not a consequential change of PCG Aokautere	<p>I note that this amendment was supported by the original submission (S51.025). However I agree that the change is not a consequential change of PCG, so have recommended an amendment to reflect scope, as well as to address the Panel's questioning on the need for a directive objective relating to stormwater. In my view there is support for this provision in the original submission, and also, the submission of Rangitāne o Manawatū (S77), provides scope for this amendment.</p>
Policy 4.8	Deletion of the policy	<p>During the evidence process, the proposed Structure Plan has been modified to incorporate stormwater ponds. The deletion of text at 4.8 suggests that these ponds are no longer part of the Structure Plan and is at odds with the evidence and reply of Ms. Baugham dated 28th November 2023 which refers to Council-led infrastructure. She advises the ponds are conceptual in PNCC Aokautere Stormwater Plan dated May 2023 Rev A. The ponds in yellow are intended to be delivered by PNCC.</p>	<p>The requirement to provide stormwater management ponds covered by Policy 4.8 is now incorporated in Policy 4.7. Policy 5.14 deals with the Council-led infrastructure. The Structure Plan has been amended via this Reply, to show the stormwater ponds in a more stylised manner, to demonstrate that they represent a conceptual design response to the Stormwater Management Strategy.</p>
Section 10			
Map 10.1 and 10.1A	Map 10.1 and Map 10.1A were not provided with		<p>This was an unintended error, and I have appended the updated maps to this Supplementary Statement in</p>

Reference	Specific text	Ms Coat's response as to why this does not satisfy the original submission	My response
	the s 42A report.		Annexure 1.

[102] Some of the changes Ms Coats has requested are minor Schedule 1, cl 16 RMA amendments which I agree with, and I have made the necessary amendments in the attached provisions. Some of the further changes I have recommended in response to the review of activity status described at Section H below may also satisfy the relief sought by the submitter.

Brett Guthrie S41 - Quality of medium density housing

[103] Brett Guthrie raised concerns about the potential quality of medium density housing in Aokautere and the Panel questioned what framework exists to manage this. Operative Objectives 2 and 9 and implementing policies (Policies 2.1 – 2.5, and 9.1- 6) and proposed Objective 15 and Policy 15.3 provide robust policy direction on protecting urban amenity and addressing adverse effects of development.

[104] The amendments to Rule R10.6.3.3⁸⁸ provide for:

- (a) multi-unit residential housing⁸⁹ in the Medium Density Village Area and Medium Density Cluster Areas; or
- (b) standalone dwelling units in the Medium Density Village Area which achieve the 25DPH net density, and assist in delivering a range of housing typologies and densities;

as a restricted discretionary activity; provided that certain performance standards are achieved. These performance standards manage on-site amenity and effects on neighbours, including specified height recession planes and setbacks, garage and carport setbacks, minimum on-site amenity provision and fencing restrictions. Where these standards are not complied with, the default activity class is a discretionary

⁸⁸ As further amended by my recommendations. Scope for these amendments is provided by the submissions of S9.004, S77.003, S77.014, S50.025, S27.002, S22.006.

⁸⁹ Defined in the District Plan as three or more self-contained dwelling units that are located on one site.

activity, which gives the Council scope to consider a broad range of effects. Under either activity class, the Council is able to decline a consent application.

Ralph Sims S31 – Climate change/emissions

[105] I have reviewed Chapter 8 Urban Systems and Other Settlements of *The 6th Assessment Report of Working Group III, Mitigation, of the Intergovernmental Panel on Climate Change (IPCC) (2022)* as referenced by the submitter.

[106] The National Policy Statement on Urban Development 2020 (**NPS-UD**) defines well-functioning urban environments as those which support reductions in greenhouse gas emissions⁹⁰ and under s 74 of the RMA the Council is required to have regard to the National Emissions Reduction Plan in preparing PCG. I provided an assessment of this national direction under Topic 3 – Climate Change and emission reduction of my s 42A Report.⁹¹ As explained in my s 42A Report,⁹² while greenhouse gas emissions of PCG have not been explicitly quantified, the dimensions of urban form that drive energy use and greenhouse gas emissions,⁹³ have been considered by the urban designers and have influenced the layout of the Structure Plan. This includes adopting as far as possible, a compact and walkable urban form, high street density, small block size and co-location of housing with employment and shopping opportunities within the neighbourhood centre. The design team has been cognisant that urban form influences energy use, buildings, transport, land use, and individual's behaviours. The cross-sections and street layout are intended to facilitate and encourage modal shift to public transport and active modes, as are the safety improvements identified for the state highway network.

Paul and Jan Dixon S56 – Effects on recreational users of Turitea Road

[107] Paul and Jan Dixon raised concerns about the impacts of growth from PCG on traffic on Turitea Road, and the potential for conflicts with recreational users. I addressed

⁹⁰ Objective 8 and Policy 1 of the NPS-UD.

⁹¹ Section 42A Report – Planning (15 September 2023) at pages 69-76.

⁹² At pages 74-76, paragraphs 21-32.

⁹³ As referenced in this report at 8.4.2.1, page 897.

this matter in my s 42A Report.⁹⁴ Ms Fraser also addressed this matter in her s 42A Report, as she identifies in her supplementary statement.⁹⁵

[108] Council has provided an update on planned works to Turitea Road, which is set out in the supplementary statement from Ms Fraser.⁹⁶

[109] I do not recommend any further changes to the provisions.

H. REVIEW OF THE EFFECTIVENESS AND EFFICIENCY OF THE PCG PROVISIONS

[110] The Panel requested a review of the provisions to confirm that they are the most efficient and effective provisions in achieving a directive approach to development within the plan change area, where one is required by the rule framework.

[111] This review has been informed by the preparation of rule ‘wiring diagrams’ for each of the key sections of the District Plan that are amended by PCG. The wiring diagrams demonstrate the mechanics of the rules within each of the key sections (7 – Subdivision, 7A – Greenfield Residential Areas, 10 – Residential Zone, 11 – Business Zones and 15 – Recreation Zones). The wiring diagrams are appended at **Annexure 2**.

[112] The paragraphs below summarise the reasons for the recommended changes to the provisions, and identify the submissions that provide scope for these amendments. I have also provided footnotes identifying the relevant submissions on which I rely for scope, in the marked up provisions at **Annexure 1**.

Transport

[113] In the Joint Witness Statement – Traffic (**JWS – Traffic**)⁹⁷ and in their traffic evidence,⁹⁸ Waka Kotahi described the early planned works to improve the safety of the SH57 for all road users, which are required to mitigate the existing safety risks on SH57. The traffic experts agreed (as recorded in the JWS) that these works would

⁹⁴ Section 42A Report – Planning (15 September 2023) at pages 132-134, paragraphs 56 – 65, in relation to the terrace link road between the residential area of PCG and Turitea Valley at paragraphs 67 – 77, pages 134-137 and page 288, paragraphs 25-26.

⁹⁵ Supplementary Statement of Harriet Fraser (11 March 2024) at paragraphs 30-33.

⁹⁶ At paragraph 31.

⁹⁷ JWS – Traffic (14 November 2023) at item 3.4.

⁹⁸ See Hearing Statement of Glenn Connelly (6 December 2023) at paragraph 2.2.

address the short-term safety concerns on the state highway network. Mr Connelly provided his assessment on the certainty and timing of those early works in his Hearing Statement.⁹⁹ Ms Fraser provides an update in her supplementary on the anticipated timing of these works.¹⁰⁰

[114] While complete certainty cannot be provided, the traffic experts consider it is a reasonable assumption that these works will take place within the next three years.

[115] The JWS - Traffic identified that on the assumption the short-term works have been undertaken, at some time in the medium to long term, the level of development in the PCG area will result in adverse effects on capacity and safety, triggering the need for additional mitigation. Although some uncertainty remains about just how much development could be enabled before the thresholds are triggered, Ms Fraser and Mr Connelly both support the intersection capacity thresholds identified in the PCG provisions as amended through the Reply to Evidence and the regulatory approach.¹⁰¹ Waka Kotahi's planning experts are also supportive of the approach taken in PCG to respond to the need for future upgrades.¹⁰²

[116] I have considered further the options for delivery of the necessary intersection upgrades, being regulatory (proposed or operative) or non-regulatory (as proposed by Mr Thomas), and the default activity status. I have reviewed the additional information provided by Mr Thomas to support a non-regulatory option,¹⁰³ and have assessed this option in the attached s 32AA evaluation.

[117] In his s 32AA analysis, Mr Thomas states that if a threshold is triggered, *"the applicant is faced with taking responsibility for implementing the remaining upgrades or overcoming the tests for a non-complying activity, one that is clearly not consistent*

⁹⁹ At paragraphs 3.5-3.7.

¹⁰⁰ Supplementary Statement of Harriet Fraser (11 March 2024) at paragraphs 15-16.

¹⁰¹ See Statement of Evidence of Glenn Connelly (27 October 2023) at paragraph 11.4 and Summary of Evidence of Harriet Fraser (4 December 2023) at paragraph 3.

¹⁰² See paragraph 2.4 of Mr Connelly's Hearing Statement (6 December 2023) and paragraph 1.4 of Ms Jenkin's Hearing Statement (6 December 2023).

¹⁰³ Which would involve inserting a reference in Section 7A.4 Methods to state that the Council and Waka Kotahi will monitor the performance of these intersections and implement the upgrades when required, with financial contributions to recoup the costs of intersection upgrades being included in the 2024 Development Contributions Policy,

*with the plan policies now proposed*¹⁰⁴ and that *“costs may also potentially fall on one applicant when this is a cumulative traffic matter.”*¹⁰⁵ However, as set out in the supplementary statement of Mr Murphy,¹⁰⁶ the Council anticipates some form of joint funding arrangement will likely be necessary. Also, because the intersection upgrades are predominantly to the State Highway, they will need to be authorised and undertaken by Waka Kotahi. There also remains the potential for a developer to progress upgrades to the intersections within the Council-controlled road network, via a developer agreement.

[118] While I agree with Mr Thomas that the objectives and policies limb of the non-complying activity test is unlikely to be overcome if a threshold is triggered, the applicant may still be able to demonstrate the safety and efficiency effects of their proposal are no more than minor, such that the development may be able to proceed. I consider this to be an appropriate response when dealing with safety. I note that the predicted adverse effects include the impact of increased vehicle movements on the safety of all road users, not just the efficiency (delays and queuing) of the network.¹⁰⁷ It is important to ensure these risks are managed to avoid serious or fatal injury.

[119] I also agree with Mr Thomas that this is a cumulative traffic matter. In this respect, the thresholds (or triggers) for upgrades/infrastructure are intended to account for the addition of traffic over time, so that from a safety perspective, excessive traffic delays are avoided to mitigate the risk of safety declining.¹⁰⁸

[120] Mr Thomas’s additional statement does not address how potential future safety or level of service issues would be mitigated or managed under his approach. The safety issues were a particular driver for the regulatory approach. The traffic experts agreed the intersection upgrades to mitigate these effects would need to be addressed in the PCG provisions.¹⁰⁹ A non-regulatory approach would enable development to proceed

¹⁰⁴ See Section 32AA Evaluation: Intersection Upgrade Rules, 15 December 2023, at paragraph 41.

¹⁰⁵ At paragraph 46.

¹⁰⁶ Supplementary Statement of David Murphy (11 March 2024) at paragraphs 24-27.

¹⁰⁷ See item 3.4 of the JWS - Traffic.

¹⁰⁸ See paragraph 11.4 of Statement of Evidence of Glenn Connelly (27 October 2023).

¹⁰⁹ See item 6.1 of the JWS -Traffic.

unfettered in advance of the necessary upgrades, resulting in increasing delays and a deterioration of service, with the potential for significant adverse effects on the safe and efficient operation of the network until such point as the upgrades were in place.

[121] I have recommended a minor amendment to the wording in the final column of Table 7A.1, on the basis of the Panel's concerns that this appears to reserve discretion to a third party.¹¹⁰ Other than that, I do not recommend any changes to this performance standard.

[122] I have undertaken a review of the default activity status where the intersection upgrade precursor standard applies. With respect to potential land use applications for a retirement village, I am of the view that it is appropriate to retain the default activity status as discretionary, rather than non-complying, with the assessment criteria directing the requirement for an assessment against the requirements of Table 7A.1.¹¹¹ I consider this to be appropriate because the land proposed for the retirement village is part of a very large parcel of land that would require subdivision first – meaning that the transport network upgrade requirements would be addressed through a subdivision application. If for any reason subdivision did not precede development of a retirement village, a discretionary activity status still provides the Council scope to decline an application, if considered necessary. In all other circumstances, if a transport assessment shows the specified capacity thresholds of the intersections will be exceeded, this will trigger a non-complying activity.

[123] I understand, based on Ms Fraser's Supplementary Statement,¹¹² that the effects of traffic activity associated with a retirement village can reasonably be expected to be lower than those of standard residential development of an equivalent site.

[124] With respect to medium density housing, Ms Fraser identifies that the overall traffic generation for an equivalent site will be higher for medium density residential development than for standard residential density. For this reason, Ms Fraser recommends that a land use application for medium density housing development,

¹¹⁰ I consider I have scope to make this amendment via the submission from Waka Kotahi (S63).

¹¹¹ Scope to make the change to the assessment criteria is provided by the submission of Waka Kotahi (S63).

¹¹² Supplementary Statement of Harriet Fraser (11 March 2024) at paragraph 11.

without a prior subdivision consent, should trigger the need for the intersection upgrade assessment.¹¹³ I have recommended amendments to the provisions to reflect her advice. I consider I have scope to make these amendments via the submissions from Waka Kotahi (S63), Sue Cooper (S32) and Bruce Wilson (S105).

Delivery of housing

- [125] The Panel asked whether the approach to medium density housing is ‘mandatory’ or ‘enabled’, and whether this is efficient and effective. The approach taken in the provisions is directive - the option to pursue an alternative is a non-complying activity on subdivision, and a discretionary activity if this density is not achieved at the land use stage. I remain of the view a directive approach is appropriate and necessary, for the reasons set out in my Reply Evidence.¹¹⁴
- [126] On further review of the provisions, I consider that this directive approach could be better signalled in the policy framework. I have recommended an amendment to Objective 5 and Policy 5.3 in Section 7A, and a new policy in section 10 (Policy 15.4. Further, it would be useful to insert the 25 DPH (net) density standard for the Medium Density Village Area into the land use chapter of the District Plan (Section 10),¹¹⁵ and I have recommended an amendment to Rule R10.6.3.3 to achieve this. I consider I have scope to make these amendments through the submissions from Rangitāne (S77), the Council (S50), Karen Wilton (S9), Dennis Thomas (S22) and Linda Rowan (S27).
- [127] In considering whether the directive approach in PCG is efficient, the Housing and Business Capacity Assessment 2023 (HBCA) identifies 300 dwellings in the medium term, and 700 in the long term, as being commercially feasible and likely to be realised within the PCG area. The HBCA does not provide a breakdown of these figures by typology. The feasibility evidence of Ms Allen shows that medium density housing is feasible from ten years (long term). Evidence before the Hearing Panel also confirmed that there were options available on the smaller lots (150m²) proposed

¹¹³ At paragraphs 12-13.

¹¹⁴ See Statement of Reply Evidence – Planning (28 November 2023), at paragraphs 64-74, pages 20-25.

¹¹⁵ Rather than just relying on Section 7A.

within the medium density area to deliver smaller standalone dwellings, which would achieve the 25DPH net density standard¹¹⁶ and Mr Burns has confirmed this in his Supplementary Statement (see paragraph 129 below).¹¹⁷ Ms Allen has subsequently undertaken further high level analysis which confirms a single detached dwelling on a 150m² lot would have been a feasible development option in 2021 and is therefore likely to be a feasible option in the medium term.¹¹⁸

[128] It is also relevant (when considering the HBCA), that PCG continues to provide for the development of land outside of the medium density area as standard suburban housing in the interim period. The proposed zoning would enable the development of 400 lots on land within the 'Green Block' and 300 lots within land owned by Fugle interests, which is not within the medium density area.¹¹⁹

[129] Mr Burns Supplementary Statement¹²⁰ identifies that testing of typical blocks at the specified 25 dwellings per hectare (DPH) net density for the Medium Density Village Area results in lot sizes of 375m², which is not too different from the minimum greenfield lot size of 350m², and is even slightly more generous. With a maximum site coverage of 45% (specified for the Medium Density Village Area), Mr Burns has confirmed¹²¹ that this allows for well-sized single storey 3 bed houses with a habitable dwelling area of around 151m², or larger two-storey dwellings with a habitable dwelling area of around 240m². The proposed height in relation to boundary standards in R10.6.3.3 facilitate 2 storey dwellings on these smaller / narrower lots, with potential for an occupied attic.¹²²

[130] In my view, when considering effectiveness and efficiency of the provisions, the standards work to provide for a range of potential dwelling types and price brackets to accommodate market/developer preferences; consistent with the NPS-UD requirements, and over a range of development time frames.

¹¹⁶ Mr Farquhar and Mr Thomas both confirmed that standalone dwellings could be constructed on the minimum lot sizes created through subdivision in the medium density area.

¹¹⁷ Supplementary Statement of Andrew Burns (11 March 2024) at paragraph 19.

¹¹⁸ Supplementary Statement of Ruth Allen (11 March 2024) at paragraph 15.

¹¹⁹ As calculated from the PCG Ownership and Yield Map: Reply to evidence zoning, dated 8th December.

¹²⁰ Supplementary Statement of Andrew Burns (11 March 2024) at paragraph 18.

¹²¹ At paragraph 19.

¹²² At paragraph 19.

Stormwater management

[131] In response to the Panel’s questioning at the hearing, I have considered whether a more directive policy is required under Objective 4 in relation to managing stormwater effects on the sensitive gully environments.

[132] I agree with the Panel’s preliminary observation that the stormwater policies are packaged in an “effects management” type framework, rather than a directive ‘avoidance’ framework. I consider this is appropriate, given my understanding that some effects of stormwater cannot be completely avoided (i.e. erosion), and so will need to be mitigated. This point is explained through Ms Baugham’s Reply Evidence, which states:

...while PCG rules are intended to both manage, and to some extent remediate, the effects of development, it should be kept in mind that without development erosion would still occur. Accordingly, the stormwater mitigation presented is intended to manage the rate of erosion and not prevent it entirely.¹²³

[133] Further, without detailed design for stormwater management being completed, it is difficult to draft an activity-focussed avoidance framework for these works.

[134] I agree that there is merit in including more explicit direction on the effects of stormwater runoff under Objective 4 of Section 7A, which is the operative objective relating to Stormwater. I have made an amendment to Objective 4 and drafted an implementing policy (Policy 4.6) that seeks to avoid more than minor adverse effects of stormwater runoff on the gully network and its associated values. I have also made further minor amendments to the stormwater policies to:

- (a) provide further clarity as to how ‘hydraulic neutrality’ should be interpreted;
- (b) ensure geotechnical considerations, including slope stability and consideration of erosion and downcutting effects are taken into account in any stormwater assessment and design;

¹²³ Statement of Reply Evidence – Stormwater (28 November 2023) at paragraph 10.

- (c) ensure the wording of the policies is more certain and precise, and to reduce repetition and overlap across policies; and
- (d) ensure the policy wording reflects the level of compliance with the Structure Plan that is required for stormwater management features.¹²⁴

[135] Following review of the default activity class, if there is non-compliance with the key stormwater performance standards, I have recommended amendments to:

- (a) the performance standard for in-gully stormwater mitigation measures (defined as the Primary Stormwater Elements) in R7A.5.2.2, to make these more precise and certain, as non-compliance results in default to a non-complying activity;
- (b) insert the requirement for the perimeter swale as a standalone performance standard; with non-compliance defaulting to a non-complying activity, because this infrastructure is critical to managing the effects of overland flows; and
- (c) the non-complying R7A.5.3.1 so that the default activity class for non-compliance with the Stormwater Management Plan performance standard is a discretionary, rather than a non-complying activity.

[136] I consider that the default activity class for the Stormwater Management Plan performance standard should be a discretionary activity because this performance standard is about the adequacy of the management plan in assessing and proposing mitigation to address stormwater effects. Discretion will be exercised in determining the extent to which the management plan is acceptable, informed by expert review and consideration of the relevant policy direction. I consider the full range of relevant matters can be appropriately assessed and an application declined if necessary as a discretionary activity, without resort to a non-complying activity status.

[137] In terms of the question as to whether a specified setback from the gully edges is required in terms of locating stormwater detention ponds, Ms Baugham has advised

¹²⁴ See paragraph 15 of this Supplementary Statement above.

in her Supplementary Statement,¹²⁵ that a blanket setback distance would be an inefficient approach, and that the location of the stormwater detention ponds is not fixed. The location of the detention ponds has been informed by a number of factors, including catchment topography, geotechnical conditions and steepness of slopes, receiving infrastructure network capacity, ecological constraints, potential for visual amenity impacts, and safety in design considerations. The ponds may need to change in size, configuration or location (for example following further geotechnical and ecological investigations) at the detailed design stage. Ms Baugham considers it important to provide some flexibility for this to occur in a manner which reflects the specific circumstances of the site. This is considered to be acceptable provided the final solution delivers the same 'level of service' parameters (in terms of hydraulic neutrality, control of peak flows and erosion etc) as specified in the provisions (eg Policy 4.7 and 4.9) (and achieved by the concept design in the Stormwater Management Strategy).

[138] In response to Ms Baugham's advice, I recommend that the stormwater ponds are not treated as a 'fixed' feature of the Structure Plan (see paragraph 137 above). As I identified earlier,¹²⁶ I have recommended a new policy (5.1B) under Objective 5 in Section 7A, which encompasses the matters that should be taken into account in the event that stormwater ponds are proposed to be located in alternative locations to those shown on the Structure Plan. This has resulted in some minor consequential amendments to the policies under Objective 4 in Section 7A, including removal of the requirement for the stormwater ponds to be located in 'general accordance with the Structure Plan'. The wording now refers to 'consistency', with the Structure Plan and to the new Policy 5.1B addressing the siting of stormwater ponds.

[139] I consider I have scope to make these amendments to the stormwater provisions via the submissions from Rangitāne o Manawatū (S77), Heritage Estates (S51), Anthony and Rosemary Gear (S39) Inga Hunter (S17), EE Kheng Ang (S30), Brett Guthrie (S41), Barry Scott (S54), Colin Perrin (S90), Manawatū Branch of Forest & Bird (S97), Horizons Regional Council (S60) and others.

¹²⁵ Supplementary Statement of Allison Reiko Baugham (11 March 2024) at paragraph 9.

¹²⁶ At paragraph 15 of this Supplementary Statement.

Local Business Zone (LBZ)

[140] I continue to hold the view that a zoned LBZ (with associated objectives and policies) is required to enable and manage the development of the Aokautere Neighbourhood Centre. I consider it is important to retain the Precinct Plan to provide direction on block layout, orientation/configuration of commercial frontages, access and internal movements, and the relationship/connectivity with surrounding areas. The Precinct Plan has been paired back to show those features for which location is particularly important to the success of the centre (see appended updated Map 7A.C). Other features are still important to delivery of the centre, but there can be more flexibility in terms of how and where they are delivered. These features have been removed from the Precinct Plan and will be managed through the operative and proposed policies.

[141] I note, by way of example, the following features, which are no longer in the Precinct Plan and are addressed by the operative and proposed policies:

- (a) provision of the central public open space and landscaping (see Section 11.10 Policy 1.4, 1.5, 1.6, 3.5);
- (b) delivery of an anchor store (alongside smaller retailers) (Policy 1.10, 2.1, 2.4); and
- (c) enablement of residential development on upper floors, without specifying that residential development must be delivered, or that it must achieve particular residential typologies or minimum densities (see Policy 1.7).

[142] I have reviewed the relevant objectives, policies and rules and have recommended changes to:

- (a) ensure the guiding policy framework and implementing performance standards in Section 11.10 are consistent with the amended Precinct Plan;
- (b) amend the relevant policies (7A: Policy 5.5 and 11.10: Policy 6.1) and performance standard for the construction and alteration of buildings in the

Aokautere Neighbourhood Centre (R11.10.2.2 (j)), to require 'general accordance' rather than strict accordance with the Precinct Plan; and

- (c) amend the default activity status to discretionary, rather than non-complying, if the performance standards are not complied with.

[143] This approach reduces the level of prescription within the Precinct Plan and provides greater flexibility for developers, while still ensuring that the key components for a successful LBZ are delivered. It remains the position of the Council experts that a level of prescription is necessary to ensure that the LBZ is delivered in a way that encourages the majority of visits to the centre to be by foot or cycle, provides a high level of connectivity with the surrounding residential streets and facilitates the development of medium density housing within the immediate village area.

[144] I consider I have scope to make these changes via the submissions from Heritage Estates (S51) and CTS Investments Ltd, Woodgate Ltd and Terra Civil Ltd (S58).

Rifle Rod and Gun Club Noise Provisions

[145] In response to evidence presented by the Rifle Rod and Gun Club (the **Gun Club**) at the hearing, the Panel asked whether there should be a rule on land use activity preventing the development of dwellings, rather than relying solely on the proposed subdivision rule. I considered the appropriateness of a land use rule and addressed this in my Reply.¹²⁷

[146] I have subsequently reviewed the number of vacant lots and can confirm that only 2 or 3 dwellings could be enabled on existing lots without a subdivision consent, on land within the plan change area, owned by Mr Green or Mr Waters. Therefore, only two or three potential future dwellings would be captured by a land use rule. For this reason, I do not consider a land use rule is necessary, nor would it be a proportionate response to the potential effects it would be intended to address.

[147] I have also revisited the appropriateness of such a rule with Mr Lloyd. On the basis of his advice, I continue to be of the view that such a rule is unnecessary to manage

¹²⁷ Statement of Reply Evidence – Planning (28 November 2023) at paragraphs 18-20.

reverse sensitivity effects on the Gun Club, given that this development potential may never be taken up, or may not be taken up before any on-site mitigation is put in place in the Gun Club. Even if these lots were developed, they would not result in a large influx of new residents into the area.

[148] I have amended the provisions so that the Gun Club must be given limited notification of any application for subdivision within the 55 dBA L_{AFmax} contour.

[149] The Panel also asked whether it would be possible to define the noise monitoring and modelling methodology referred to in the assessment criteria for the rule. Mr Lloyd has advised that there is no New Zealand Standard or other standardised methodology for measuring and assessing gun club noise, and it is not possible to prescribe this within the plan provisions.¹²⁸

[150] The Gun Club provided an Addendum to their Brief of Evidence dated 7 December 2023 following their appearance at the hearing. The Addendum identifies that the Club's representatives Mr Hunt and Mr Jepsen have re-considered their oral evidence and are no longer of the view that a non-complying activity status is appropriate for subdivision within the 55 dB L_{AFmax} contour. The Addendum also identifies their lack of comfort and difficulty with interpreting the relevant proposed policies.¹²⁹

[151] Having reviewed the Addendum and related provisions, I have recommended further changes which include reversing the order of policies 3.8 and 3.9, and inserting new definitions into the District Plan, to make it clearer where each of these policies should applied. I have also recommended some structural changes to the policies, which I have subsequently discussed with them. Following that meeting, I have made one further edit to the assessment criteria to require consideration of the degree to which the monitoring and modelling methodology is representative of the noise impacts of activities at the Gun Club. This responds to Gun Club concerns that noise monitoring could be undertaken in a way that under represents the effects. I

¹²⁸ Mr Lloyd undertook noise measurements of a .308 rifle with and without a suppressor and a pistol with the assistance of the Gun Club, using these measurements to calibrate the prediction methodology for acoustic modelling, as he describes in paras 31 – 38 and Appendix A of his s 42A Report – Acoustics (15 September 2023).

¹²⁹ Refer to paragraphs 13 to 17 of their Addendum to Brief of Evidence of Rifle Rod and Gun Club (7 December 2023).

provided this further amendment to the Gun Club but have had no further correspondence from them.

- [152] I consider I have scope to make these amendments via the Gun Club's submission (S76).

Retirement Village

- [153] Following questions to Mr Fugle during the Hearing, the Panel asked whether restricted discretionary activity status would be a more effective and efficient activity status for any proposed Retirement Village in the Plan Change area.
- [154] At the outset, I note that the operative District Plan activity status for a retirement village in the Residential Zone is Discretionary. I remain of the view that a discretionary activity status is appropriate for Aokautere, given the potential wide range of activities that may be associated with a comprehensive village development, which may include hospital, leisure and retail facilities, the size and scale of buildings and the associated noise and traffic effects. There is also the potential for adverse effects if the Retirement Village is poorly integrated with the rest of the village and the Neighbourhood Centre.
- [155] Mr Burn's s 42A Report notes the concerns about the viability of the adjacent Aokautere Neighbourhood Centre as *"without attractive walking routes to and from the retirement village, the Local Centre could lose almost 50% of its pedestrian catchment"*.¹³⁰ He goes on to mention the potential for loss of permeability (including for active modes) of the Aokautere street network if the retirement village is an exclusive enclave. To avoid this outcome the retirement village layout has been designed to provide at least five connections to the public street system.¹³¹ In his Reply Evidence, Mr Burns mentions other key attributes important to achieving integration of the Retirement Village, including continuation of the formal

¹³⁰ Section 42A Report – Urban Design (15 September 2023) at paragraph 167.

¹³¹ At paragraphs 166-168, at page 58.

layout/grid, off-site connections, clear through-routes, outward facing units (i.e. orientation of units towards public streets) and legibility.¹³²

- [156] Given the wide range of potential effects that may arise, I do not consider it would be appropriate to adopt a lesser activity status in the Aokautere Structure Plan area.

Conclusion

- [157] Subject to the above changes, which are shown in the tracked changes version of the provisions at Annexure 1, I consider the amended provisions are the most appropriate method for achieving the objectives of the plan change and represent an efficient and effective approach.

11 March 2024

Anita Copplestone

¹³² See Statement of Reply Evidence – Urban Design (28 November 2023) at paragraph 82.

I. ANNEXURES

Annexure 1:

- Marked up PCG Provisions
- Updated PCG Structure Plans
- Updated Zoning Plan
- Updated Maps 10.1, 10.1A, and 10.6.3.3(i)

Annexure 2: ‘Wiring Diagrams’ of PCG Rule Framework

Annexure 3: Section 32AA Evaluation

Annexure 4: Structure Plan Components Review

Key	
Amendments that were notified	Black strikethrough and <u>underlined</u>
Amendments made in s42A	Black strikethrough and <u>underlined</u> (with grey shaded highlight)
Amendments made in Reply Evidence	Red strikethrough and <u>underlined</u>
Amendments made in Written Reply	Blue strikethrough and <u>underlined</u>

SECTION 4:

DEFINITIONS

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4. DEFINITIONS

NOTE TO PLAN USERS

A glossary of Māori words and terms is contained in Section 3 of this Plan.

In this District Plan, unless the context otherwise requires it:

1% or 2% Annual Exceedance Probability Rainfall Event	<p>means two rainfall events of different magnitudes which have a 1% or 2% chance of being equaled or exceeded in any given year. These rainfall events are equivalent to a 1 in 100 year event and a 1 in 50 year event.</p> <p>NOTE TO PLAN USERS This does not mean that such events may occur once or twice in any given year, or once every 100 years or once every 50 years, it is possible they may occur more or less often in that year. The effect of any such rainfall on a stormwater drainage system will differ dependent upon the size and topography of the system's catchment.</p>
Access	means property access direct to a public road, or access to a public road from another road (i.e. intersection).
Access Management Structure Plan	A detailed plan and /or a legal access agreement authorised by Council that permits an allotment to have vehicle access onto a Major or Minor Arterial road. An Access Management Structure Plan (AMSP) details all the conditions which must be complied with, pertaining to the access crossing point(s), and any other particular arrangements and/or actions which are required to be implemented by a consent holder, to remedy or mitigate adverse effects on the efficient operation of a Major or Minor Arterial road and the surrounding road environment.
Access Leg	In relation to a rear site, means a strip of land which is included in the ownership of the site, and which provides the legal and physical access from legal road to the net area of the site.
Access Strip	means a lot (used for access), access leg or right of way providing access to a public road for one or more lots.
Accessible Route	Means a continuous route from accessible car parking spaces to a building entrance that is usable by people with disabilities, and can be negotiated unaided by a wheelchair user, walking device or by a person with a guide dog or service animal.
Accessory Building	means a building not being part of the principal building, the use of which is incidental to that of any other building or buildings on the site. In the case of a site on which no building has been erected, it is a building incidental to the use of the principal building permitted on the site. This includes a garage, carport, tool shed, playroom, recreation room, glasshouse, shipping container, swimming pool, spa pool and sleep-out.
Accommodation Motel	means land and/or buildings used for transient residential accommodation and includes the provision of playgrounds, spa

	pools and swimming pools. It does not include restaurants, bars or conference facilities.
Acoustical Consultant	means a person or persons normally engaged in the field of acoustical consultancy or noise control engineering and with a relevant tertiary qualification and with sufficient experience in the role.
Active Frontage	means a façade of a building that includes windows and preferably an entrance to encourage activity and allow passive surveillance of the adjacent street, carpark, or area of public space.
Advertising Device	means any device, excluding those defined as an Advertising Sign , Temporary Sign or Official Sign used to advertise a product, service, event or location. This includes, but is not limited to, blimps, flags, laser light displays, searchlights, or supergraphics on buildings.
Advertising Sign	means any sign erected for the purposes of advertising a product, service, event or location. Advertising signs do not include footpath signs erected on the road reserve, which are controlled by the Palmerston North Signs and Use of Public Spaces By-Law 2015 (and subsequent amendments or updates). Advertising signs are permanent but can be fixed or portable in nature. Refer to Temporary Signs for advertising signs of a temporary nature.
AEP or Average Exceedance Probability	AEP or Average Exceedance Probability - means the probability of an event occurring in any given year. For example, a 1% AEP means there is a 1% chance in any given year of the event occurring. This means on average 1 event of this size will occur every 100 years.¹
Aircraft Engine Testing	means the testing of aircraft engines, whether in stationary aircraft or remotely mounted, for and related to the purposes of engine maintenance, and does not include normal aircraft operation engine run-ups such as aircraft warming up on the apron or the movement of aircraft to and from the engine testing location.
Aircraft Operations	(when used in relation to aircraft activity at Palmerston North Airport) means the operation of aircraft during, or immediately before or after flight.
Airport Environs Precinct	Means land within the Airport Zone on the southern side of Airport Drive. See Map 13.1: Airport Zone Precincts.
Allotment	means the same as the definition in the Resource Management Act 1991.
Ambience	means those characteristics which provide individuals and the community with positive feelings of the particular value and character of an environment which leads to an enjoyment of their environment through a sense of pleasantness and harmony.
Ancillary Institutional Zone Activity	means an activity which is incidental to and associated with the primary institutional activity which is undertaken on the site and which has the sole purpose of providing a service necessary to enhance the overall functioning of the institution. This includes offices staffed independently of institutions, but which are partnering with them or co-engaged in some aspect of their activity.

¹ S50.025

Animal Boarding Establishment	means any land or building where board and lodging is provided or intended to be provided for more than two animals, or where shelter is provided for stray or unwanted animals. This does not include dog kennels, calf rearing sheds, stables and similar shelter for private and farming uses.
Animation	(in the context of signs) means any method of a sign or other advertising device to generate a perception of movement or change. This includes, but is not limited to, rotating signs, flashing lights, changing displays and/or messages, laser light shows, or searchlights. It does not include the displays of digital clocks alternating with temperature with a time interval between each change of 10 seconds or more.
Antenna	means part of the radiocommunication facility or telecommunication facility used or intended for transmission or reception, including dishes, panels and aerials (i.e. an array of wires, rods or tubes). They include the antenna mounting and ancillary components such as radio frequency units, amplifiers, controller boxes, or similar devices, but not any supporting mast or similar structure.
<u>Aokautere Greenfield² Residential Area</u>	<u>means the Greenfield Residential Area shown in the Aokautere Structure Plan (Map 7A.4).</u>
<u>Aokautere Rural-Residential Overlay Area</u>	<u>means the Rural-Residential Area shown in the Aokautere Structure Plan.</u>
<u>Aokautere Structure Plan</u>	<u>means the Aokautere Structure Plan as shown in Maps 7A.43, 7A.43A, 7A.43B, 7A.43C, 7A.43D (1-147), 7A.3E, 7A.3F, and 7A.3G.³</u>
Attenuation	Within the North East Industrial Zone Extension Area, means a combination of retention and detention of stormwater. NOTE TO PLAN USERS It is expected that pond storage in Watercourse Reserve Areas is required for both detention and retention.
Available essential service	means in respect of any essential service, that the service is in a location, of a nature and capacity to supply the subdivision in accordance with the relevant policies.
Average Lot Size	for the purposes of any Greenfield Residential Area, this shall be calculated by taking the total site area included in the application for subdivision minus all land identified for roads and public open space and dividing the area by the number of residential lots to be created.

² S50.004³ S50.004

Automotive & Marine Supplier	<p>means a business primarily engaged in either the servicing and/or selling of automotive vehicles, marine craft, accessories to and parts for such vehicles and craft, and without limiting the generality of this term, includes suppliers of:</p> <p>boats and boating accessories;</p> <p>cars and motor cycles;</p> <p>new auto parts and accessories;</p> <p>trailers and caravans; and</p> <p>tyres and batteries.</p>
Blind Aisle (refer to Explanatory Diagram 4)	a parking aisle closed at one end.
Building	<p>means any structure made by people and which is fixed to land but, for the purpose of this Plan, excludes:</p> <p>Any retaining wall not exceeding 1.5m in height measured from the lowest adjoining ground level.</p> <p>Any wall (other than a retaining wall) or fence of any height not exceeding 2m measured from the lowest adjoining ground level.</p>
Building Supplier	<p>means a business primarily engaged in selling goods for consumption or use in the construction, modification, cladding, decoration or outfitting of buildings (other than businesses where the processing and machining of timber and other construction materials and products is carried on) and without limiting the generality of this term, includes:</p> <p>glaziers;</p> <p>locksmiths; and</p> <p>suppliers of:</p> <p>awnings and window coverings;</p> <p>bathroom, toilet and sauna installations;</p> <p>electrical and plumbing supplies;</p> <p>heating, cooling and ventilation installations;</p> <p>kitchen and laundry installations;</p> <p>paint, varnish and wall coverings;</p>
	<ul style="list-style-type: none"> - permanent floor coverings; - power tools and equipment; - safes and security installations; and - building materials. -
Circulation Route (refer to Explanatory Diagram 4)	a route which is used solely for circulation, and to gain access to parking aisles and on which there is no parking.

Commercial Activity	for the purposes of any Greenfield Residential Area, this means the use of land and buildings for the display, offering, provision, sale or hire of goods, equipment or service including restaurants, and retail shops and outlets, but excludes service stations and supermarkets.
Commercial Service Activity	means a business providing personal, property, financial, household, private and business services to the general public from shop-front premises and includes, but is not limited to: <ul style="list-style-type: none"> • airline and entertainment booking services; • copy and quick printing services; • customer banking facilities; • customer postal services; • counter insurance services; • credit unions, building societies and investment co-operatives; • dry-cleaning and launderette services; • electrical goods repair services; • footwear and leather goods repair services; • hairdressing and beauty salons and barbers; • key cutting services; • money lenders; • real estate agents and valuers; and • travel agency services.
Communal Activities	for the purpose of applying R10.6.1.1(h) Air Noise Controls, includes but is not limited to rooms used for education and child supervision purposes, assembly of persons for such purposes as worship, deliberation, entertainment, dining, research, education, recreation, or similar purposes and includes, but is not limited to restaurants, conference centres, churches, health centres, hospitals and residential centres.
Community and Leisure Facilities	means land and/or buildings used for public or private recreation, entertainment, meetings or social events.
Community and Leisure Activities	means activities associated with public or private recreation, entertainment, meetings or social events.
Community House	means land and/or buildings in which board and live-in health care or support is provided for more than five people. This includes homes for the elderly and halfway houses.
Conservation	means the protection or preservation of a heritage resource (building, site, vegetation or habitat) in order to maintain the natural or cultural heritage values associated with the resource, and to safeguard its potential for future generations.
Core Airport Precinct	means land within the Airport Zone encompassing the Palmerston North Airport's airfield, hangars, apron, terminal, public parking and other core airside activities. See Map 13.1: Airport Zone Precincts.
Corner Site	means a site within a general change of direction of the abutting street or streets, such change of direction being 45° or more.
Council	means the Palmerston North City Council or any committee, sub-committee or person to whom the Council's powers, duties and discretions under the Plan have lawfully been delegated pursuant to the provisions of any Act.
Critical Infrastructure	has the same meaning as defined by the Manawatu-Wanganui Regional Council One Plan Glossary.

Crossing Place	means that portion of the property boundary where there is safe vehicular access to a legal road.
Cultural Heritage Value	means possessing historical, archaeological, architectural, technological, aesthetic, scientific, spiritual, social, traditional or other special cultural significance, associated with human activity.
Dairy Related Industrial Activity	<p>Within the Braeburn Industrial Area, means:</p> <ul style="list-style-type: none"> (a) The collection, processing, and storage of raw milk and the manufacturing and processing of dairy products and by-products. (b) The treatment and management of wastewater, by-products and dairy liquids. (c) Storage, transfer and distribution facilities primarily but not exclusively for dairy products and by-products. (d) Transport depots primarily but not exclusively for the transport of dairy products and by-products. (e) Infrastructure for the purpose of servicing activities within the Braeburn Industrial Area.
Demolition	means the complete or partial destruction of a scheduled building or object, but excludes the partial destruction of a scheduled building which is associated with an approved external alteration or addition. With respect to scheduled heritage buildings, partial demolition does not include internal demolition work, or minor invasive or destructive testing.
Dependent Dwelling Unit	means any self-contained dwelling unit with a maximum gross floor area of 100m ² on the same site and in the same ownership as the principal dwelling unit for the purposes of providing accommodation for family relatives, elderly or infirm people.
Derelict Vehicle	<p>Includes</p> <ul style="list-style-type: none"> • any car or other vehicle which is not currently registered and licensed and warranted, and which for the time being is unable to be driven under its own power; and • any part of a vehicle.
Developable Land	<p>means any land in Aokautere:</p> <ul style="list-style-type: none"> a. that is identified as developable in Map 10.1 and or Map 10.1A:⁴ or b. for which any land instability, erosion or subsidence hazard associated with the land will be avoided or mitigated by specifically designed geotechnical engineering works for which a valid, restructured land resource consent exists. In relation to the establishment of buildings and structures, the works required by the restructured land resource consent must have been completed.

Development	<p>means:</p> <ol style="list-style-type: none"> Any erection, reconstruction, placement, alteration, extension, removal, or demolition of any structure in, on, under, or over the land; or Any excavation, drilling, tunneling, or other disturbance of the land; or Any destruction of, damage to, or disturbance of, the habitats of plants or animals in, on, or under the land; or Any deposit of substance in, on, or under the land; <p>except where these activities are carried out as part of a subdivision which is subject to the rules of the District Plan and the provisions of the Resource Management Act 1991.</p>
Digital Sign	means a sign that has a pixelated image made from solid state lighting and has the ability to display animated and moving images.
Display Window	means windows which permit the public to view display space within a building.
Domestic Pig Farming	means the keeping of not more than 5 grower pigs or 2 breeding pigs provided the progeny are not retained beyond 25kg or 70 days of age.
Domestic Wind Turbine	<p>means a wind turbine used for individual domestic use to derive energy from the wind, with the following characteristics:</p> <ul style="list-style-type: none"> a blade length no greater than 9 metres; and a nacelle height no greater than 20 metres from the ground. and excluding any Micro Scale Wind Turbine
Dripline (refer to Explanatory Diagram 1 at the end of this section)	means the line formed when a vertical line from the outermost extent of a tree's branches or canopy meets the ground.
Dwelling and Dwelling Unit	means any self-contained building or structure, or part thereof, that is used (or intended to be used) for a single household, and which is generally not available for public use.
Early Childhood Facilities	means facilities providing for the care and/or education of children, which are licensed by the Ministry of Education.
Earthworks	<p>means any movement of earth, including the excavation or deposition of earth or cleanfill that results in changes to the existing ground level.</p> <p>This includes, but is not limited to, earth movement associated with subdivision and siteworks as defined by the Building Act 2004.</p> <p>NOTE TO PLAN USERS</p> <p>The District Plan contains exclusions to the earthworks provisions of R6.3.6.1. Refer to Section 6 of the District Plan.</p>
Ecotoxicity	means adverse toxic effects on ecosystems or other ecological communities.
Education Facility	means land and/or buildings used as a primary, intermediate or secondary school or tertiary institution.

Emergency Plans	means a document serving as an emergency response guide by identifying and cataloguing the elements required to respond to an emergency and defining responsibilities and specific tasks in an emergency.
Environmental Design	means the design and treatment of a site or part of a site, for the purposes of protecting the character and enhancing the amenities of the site and adjacent areas. Such works will include ground formation, earthworks and attendant drainage; the use of paving materials, planting of trees, shrubs, ground covers, grass or natural materials; and the use of walls, screens, fences and other amenity features.
Essential Services	means <ul style="list-style-type: none"> • the Palmerston North City Council reticulated sewage and reticulated water supply systems • stormwater systems • electrical power and telecommunication networks.
Essential Unscheduled Engine Testing	means engine testing undertaken whilst maintaining or repairing an aircraft other than as part of planned scheduled engine maintenance and where the postponement of the testing would delay any pre-arranged or scheduled, or emergency flight operations.
External Sound Insulation Level ($D_{nT,w} + C_{tr}$)	means the standardised level difference (outdoor to indoor) and is a measure of the airborne sound insulation provided by the external building envelope (including windows, walls, ceilings and floors where appropriate) described using $D_{nT,w} + C_{tr}$ as defined in the following Standards: ISO 717-1:1996 Acoustics – Rating of Sound Insulation in Buildings & Building Elements using spectrum No.2 (A-weighted traffic noise spectrum). ISO 140-5:1998 Acoustics – Measurement of Sound Insulation in Buildings and of Building Elements – Part 5: Field Measurements of Airborne Sound Insulation of Façade Elements and Facades.
Farming & Agricultural Supplier	means a business primarily engaged in selling goods for consumption or use in the business operations of primary producers or in animal husbandry and without limiting the generality of this term, includes: <ul style="list-style-type: none"> • equestrian and veterinary suppliers; • farming and horticultural equipment suppliers; • seed and grain merchants; and • stock and station outlets.
<u>Fascia</u>	<u>means a sign board on the upper part of a shop front which shows the name of the shop.⁵</u>
Fitzherbert Science Centres	means the group of Institutional Zone activities located on the northern side of Tennent Drive, which gain access to Tennent Drive via Dairy Farm Road and Batchelar Road.

⁵ S51.126

Fixed Plant	<p>fixed plant includes plant that is permanently or temporarily located and operated at any location and includes all mechanical and building services equipment such as equipment that is:</p> <ul style="list-style-type: none"> • Required for ventilating, extract, heating, cooling, conditioning, and exhaust either of buildings or commercial activities; • Associated with boilers or plant equipment, furnaces, incinerators or refuse equipment; • Electrical equipment, plumbing (including pumps), lift or escalator equipment; or <p>Similar plant, equipment, items, rooms or services.</p>
Flygers Line Floodway	Means the area spatially defined on Map 22.7 in Section 22 - Natural Hazards.
Flood Hazard Avoidance	Has the same meaning as defined by the Manawatu-Wanganui Regional Council One Plan Glossary.
Flood Prone Area	Areas that are mapped on the Planning Maps as being likely to be inundated by a 0.5% AEP flood event (1 in 200 year flood).
Foodcourt	means two or more restaurant businesses and/or businesses selling refreshments and meal components, sharing a common area or areas for the serving, seating and circulation of customers and for table clearing and cleaning stations. Foodcourts must be integrated or associated with other retail premises and do not include standalone foodcourts. For the purposes of calculating parking requirements, the foodcourt GFA must be measured so as to aggregate the leased GFA of kitchens, storage areas and serveries only i.e. excludes common seating and circulation areas.
Frontage Road	Means the road running along the frontage to a particular site. A site may have one road frontage, or in the case of corner sites one or more road frontages and these frontages may be in public or private ownership.
Front Site	means a site which directly abuts a street for the full length of one boundary.
Garden & Patio Supplier	<p>means a business primarily engaged in selling goods for permanent exterior installation or planting and without limiting the generality of this term, includes:</p> <ul style="list-style-type: none"> • garden centres; • landscape suppliers; and • suppliers of: <ul style="list-style-type: none"> - bark and compost; - clothes hoists and lines; - conservatories, sheds and other outbuildings; - fencing, gates and trellises; - outdoor recreational fixtures and installations; - patio furniture and appliances; - paving and paving aggregates; - statuary and ornamental garden features; and - swimming and spa pools.
Greenfield Residential Area	<p>Means any area shown in the following structure plans:</p> <ul style="list-style-type: none"> • Whakarongo Structure Plan (Map 7A.1) • Kikiwhenua Structure Plan (Map 7A.2) • <u>The area shown as Greenfield Residential Area on the Aokautere</u>

	Structure Plan (<u>Map 7A. A.4, 7A.4A, 7A.4B, 7A.4C, 7A.4D 1-17</u>)⁶
Gross Floor Area	<p>is the sum of the gross area of all floors of all buildings on a site, measured from the exterior faces of the exterior walls, or from the centre lines of walls separating two buildings.</p> <p>In particular, gross floor area includes:</p> <ol style="list-style-type: none"> Elevator shafts, stairwells, and lobbies at each floor; Floor space in interior balconies and mezzanines; All other floor space not specifically excluded. The gross floor area of a building shall not include: <ol style="list-style-type: none"> Uncovered stairways; Floor space in terraces (open or roofed), external balconies, breezeways, porches; Roof vehicle parking, lift towers and machinery rooms on the roof, having a floor area of not more than 200m²; Public thoroughfare areas in malls (this does not include foodcourt areas); Areas used exclusively for fire egress; Switchboard areas/Plant rooms; Public Toilets. <p>For instructions on how to use gross floor area when calculating car park requirements for foodcourts, refer to the definition of 'Foodcourt 'above.</p>
Ground Level	<p>In relation to earthworks means the original contour level of land prior to any modification, or</p> <p>Where a subdivision or land use consent for earthworks has been approved, the contour level following that development, as per the approved engineering plans.</p>
<u>Gully network</u>	<u>means the areas shown as 'Reserves' (gully networks for stormwater management G1-G12) on the Aokautere Structure Plan Map 7A.4 and zoned Conservation and Amenity Zone on the planning maps.</u> ⁷
<u>Gun Club High Noise Area</u>	<u>means the area of land lying within the 55 dB L_AF_{max} noise contour generated by activities at the Manawatū Rifle Rod and Gun Club, as identified on Map 7A.4B of the Aokautere Structure Plan</u> ⁸
<u>Gun Club Noise Mitigation Area</u>	<u>means the area of land lying between the 50 and 55 dB L_AF_{max} noise contours generated by activities at the Manawatū Rifle Rod and Gun Club, as identified on Map 7A.4B of the Aokautere Structure Plan</u> ⁹
Habitable Room	means any room in a dwelling which is used or which can be used as a sitting room, a living room, a bedroom, a dining room, or a family room.

⁶ S50.025⁷ S51.010⁸ S76.001⁹ S76.001

Habitable Room	for the purposes of R10.6.1.1(h) Air Noise Controls, R11.6.6.1(a) and (b), R11.9.7.1(a) and (b) Noise Insulation, and R12.9.1(b) and R9.11.2 and R9.11.3, means a room used for activities normally associated with domestic living, but excludes any bathroom, laundry, water closet, pantry, walk-in wardrobe, corridor, hallway, lobby, clothes drying room or other space of a specialised nature occupied neither frequently nor for extended periods.
Habitats of Local Significance	indigenous bush remnants and wetlands that have amenity, intrinsic and cultural values.
Hapu	Means sub-tribal units which were comprised of several Whanau or extended families which descended from an eponymous (common) ancestor; often formed a self-sufficient social and economic units based around marae.
Hazardous Facility	means any activity involving hazardous substances; any site where hazardous substances are used, stored or handled and installations containing hazardous substances including vehicles parked on site laden with hazardous substances. Hazardous facility does not include: <ul style="list-style-type: none"> • the incidental use and storage of hazardous substances in minimal domestic scale quantities; • fuel in motor vehicles, boats and small engines; • retail outlets for domestic scale usage of hazardous substances (i.e. supermarkets, hardware shops, pharmacies, home garden centres); • Pipelines used for the transfer of hazardous substances including gas, oil, trade waste and sewage; • Pipelines used for the transfer of hazardous substances including gas, oil, trade waste and sewage; • The transport of hazardous substances (e.g. in trucks or trains); • Electrical equipment containing cooling oil up to 1,500 litres.
Hazardous Substance	shall have the meaning within Section 344 of the Resource Management Act 1991 and shall also include any substance — <ol style="list-style-type: none"> a. with one or more of the following intrinsic properties: <ol style="list-style-type: none"> i. an explosive nature; ii. an oxidising nature; iii. a corrosive nature; iv. flammability; v. acute and chronic toxicity; vi. ecotoxicity with or without vii. bioaccumulation. b. which on contact with air or water (other than air or water where the temperature or pressure has been artificially increased or decreased) generates a substance with any one or more of the properties specified in paragraph (a) of this definition.
Health Centre	means premises used by those involved in health care and diagnosis which involves more than three health practitioners. In the Residential Zone this does not include veterinary clinics and gymnasiums.
Health Facility	means premises used by those involved in health care and diagnosis which involves three or less health practitioners. In the Residential Zone this does not include diagnostic laboratories, veterinary clinics, and gymnasiums.

Height (refer to the Explanatory Diagram 2 at the end of this section)	<p>in relation to a building means the vertical distance between actual ground level and the highest part of the building above that point. For the purposes of calculating height:</p> <ol style="list-style-type: none"> Actual ground level will be the level of the ground after completion of all subdivision earthworks or where a land use consent has been approved for earthworks pursuant to R6.3.6.1, and before commencement of any subsequent earthworks for landscaping or erection of buildings on the site. For residential buildings the top portion of any gable or hip roof, measured from a position mid-way between a point 2.5 metres above the floor level of the highest habitable room and ridge line shall be excluded. Account shall be taken of signs, except signs affixed or incorporated on the walls of a building, lift tower, machinery room or water tower, where such signs do not extend beyond the walls to which they are attached, and would be contained within the silhouette of the building. Account shall be taken of parapets, but not of chimneys, aerials, antennas, architectural appurtenances (such as ornamental towers, turrets, finials, spires, flagpoles, gargoyles), lift towers, machinery rooms or water towers, solar hot water and photovoltaic panels, provided such structures: <ol style="list-style-type: none"> do not exceed a height of 5 metres above the height otherwise permitted on any part of a site; and in the case of any rooms or towers do not exceed a floor area equal to 10% of the area of the roof of the storey immediately below, and in the case of solar hot water and photovoltaic panels, such structure must not exceed 0.5 metres above the height otherwise permitted on any part of a site.
Heritage Area	<p>means a defined area, referenced in a rule in the Plan as a heritage area, that is characterised by a concentration and continuity of sites, buildings, structures, objects and/or landscape characteristics that are united in their reflection of historic, cultural, social, architectural, and archaeological values that should be protected from inappropriate subdivision, use and development. A heritage area may include a mix of individually listed buildings and objects, as well as buildings and objects that have not been individually listed but have heritage values that contribute to the overall values of the area.</p> <p>NOTE TO PLAN USERS</p> <p>Appendix I of the Inner Business Zone provides a description of the cultural and historical values associated with the North West Square Heritage Area and a map showing the physical extent of the area.</p>
High Amenity Area	<p>means for the purposes of NZS 6808:2010, any area identified in the District Plan as a Rural Residential Area or within the Rural Residential Overlay (as shown on the Planning Maps).</p>

Home Occupation	means an occupation, craft, profession or service for direct or indirect commercial gain and/or carried out on a repetitive basis in a dwelling unit or a building accessory thereto and ancillary to the use of that site for residential purposes. Such a use shall not include restaurants, service stations, the repair, painting, panelbeating or wrecking of motor vehicles and crematoria.
Horse Aquatic Facilities	means swimming pools and other water based facilities intended for training or therapeutic purposes, for horses. This includes businesses offering the service to others.
Horse Cartage Depot	means any buildings and/or land used for the parking, repair or maintenance of vehicles involved in the transport of horses and related equestrian equipment. This includes the short term accommodation of horses on the site.
Horse Walkways	means pathways provided specifically to allow the movement of horses to and from training facilities and the Racecourse Zone.
Illuminance	means the luminous flux incident on a surface per unit area. The unit is the lux (lx) where 1 lux = 1 lumen per m ² .
Illuminated Sign	Means the use of internal and external light sources or digital technology, coloured and non-coloured for advertising purposes.
Individual Retail Activity	means any retail activity carried on under a distinct, single store brand or trading logo.
Industrial Activity	means any activity which involves the manufacture, fabrication or processing of materials, or the servicing and repair of goods, vehicles or materials, but excludes any workrooms and/or storage areas in the Inner Business Zone where these are ancillary to a Permitted Activity in that Zone provided: <ol style="list-style-type: none"> those workrooms and/or storage areas do not occupy an area greater than 35% of the gross floor area occupied by that activity. those workrooms and/or storage areas are not situated at the street frontage of any building or part of a building occupied by that activity.
Institutional Activity	means any activity which has as its primary function the provision of education and health services and/or research and development, and also includes any activity which is ancillary to an education, health or research and development related activity. It also includes the New Zealand Fire Station activities on Lot 3 DP 35156, Lot 1 DP 60485 and Lot 13 DP 217, known as the Palmerston North Fire Station, the Ashhurst Fire Station and the Bunnythorpe Fire Station, and other emergency services including St John Ambulance.
Institutional Campus	means the grounds and buildings allied with an institutional activity.
Institutional Zone Retail Activity	means any activity which entails the use of a building or buildings for the direct sale of goods or services (other than food and beverage outlet services) to any person associated with the institution (but not the public in general), and which also meets the definition of an Ancillary Institutional Activity.

Intensive Farming	means the production of plant and animal produce, where the predominant productive processes are carried out within buildings. It includes, but is not limited to, poultry farming (where more than 50 poultry are farmed), intensive feedlot farming, fitch farming, rabbit farming, and mushroom production. It does not include Domestic Pig Farming, glasshouse horticulture or hydroponic growing of plants.
Intensive Feedlot Farming	means the breeding or rearing of livestock where the predominant productive processes are carried out within buildings or closely fenced outdoor runs where the stocking intensity precludes the maintenance of pasture or ground cover and where the primary purpose of the activity is the commercial production of livestock for sale or slaughter. Intensive Feedlot Farming does not include Intensive Pig Farming or Domestic Pig Farming.
Intensive Pig Farming	means the keeping of pigs mainly within buildings, or outdoors without groundcover being maintained, but does not include Domestic Pig Farming.
Interpretive Structures	means structures used for informal recreation. Includes boardwalks, shelters, viewing platforms, information kiosks, information/notice boards, etc.
Iwi	Is a blanket and general term used to describe the people of a locality, district or region and to denote that they generally come from a common source. Iwi refers to the connected hapū of a district but was also used to describe a combination of related and/or unrelated hapū which gathered for a particular war, expedition or venture.
Kaitiakitanga	Means 'the exercise of guardianship; and in relation to a resource, includes the ethic of stewardship based on the nature of the resource itself'. Source: Resource Management Act 1991, Section 2: Interpretation. This may involve activities such as: <ul style="list-style-type: none"> • The maintenance of sites of importance such as wahi tapu, wahi Tupuna and wahi taonga. • The maintenance of sites of cultural, historical and spiritual importance to iwi. • The responsible management of natural resource • Designing environmental management systems and monitoring plans
Kikiwhenua Residential Area	Means the Greenfield Residential Area shown in the Kikiwhenua Structure Plan (Map 7A.2)
Kohanga Reo	Means any pre-school where pre-school children are taught te reo Māori and cared for in accordance with tikanga Māori.
Kura Kaupapa	Means any primary school where children are taught te reo Māori and cared for in accordance with tikanga Māori.

Large Neighbourhood Centre	<p>for the purpose of the Local Business Zone are limited to the following centres:</p> <ul style="list-style-type: none"> any Greenfield development containing more than 10 tenancies, or a large anchor tenant with associated tenancies Hokowhitu Shopping Centre (corner of Te Awe Awe Street and Albert Street) Milson Shopping Centre (corner of Milson Line and McGregor Street) Kelvin Grove Shopping Centre (corner of Fernlea Avenue and Roberts Line) Summerhill Shopping Centre (corner of Ruapehu Drive and Aokautere Drive) Riverdale Shopping Centre (corner of College Street and Pitama Road) Ashhurst Shopping Centre (the extent of Local Business Zone land in Ashhurst) Terrace End Centre (corners of Broadway Avenue and Ruahine Street) Highbury Shopping Centre (corner of Highbury Avenue and Pembroke Street)
Licensed Premises	<ul style="list-style-type: none"> any premises, or any part of any premises, on which liquor may be sold pursuant to a licence; and includes any conveyance, or any part of any conveyance, in which liquor may be sold pursuant, to a licence.
Limited Development Land	means any land in Aokautere which is not identified as developable land on Map 10.1 <u>or Map 10.1A.</u>
Line	Has the same meaning as defined in Section 5 of the Telecommunications Act 2001 or the definition of 'line' in section 2 of the Electricity Act 1992.
Livestock	Includes cattle, sheep, goats, emus, ostriches and other animals or birds (excluding poultry) kept for agricultural purposes.
Living Court	means an area which is required by this Plan to be unoccupied and unobstructed from the ground upwards and for the exclusive use of the dwelling unit provided that such structures as will enhance the use and enjoyment of the court will be permitted For the purposes of this definition, eaves and overhanging upper storey projections not exceeding 0.6m are permitted.
Local Catchment	for the purposes of the Local Business Zone, includes the extent of properties located within a 900m radius of a Local Business centre (this includes Local Stores and Small and Large Neighbourhood Centres).
Local Stores	for the purposes of the Local Business Zone, means one or more commercial premises predominantly located where two roads meet, address one or both streets and are built to the street frontage. The number of premises shall not exceed 4 separate tenancies.
Locality (refer to the explanatory diagram 3 at the end of this section)	<p>means, in relation to the Local Business Zone, two or more sites in immediate proximity to each other and which meet any of the following conditions:</p> <ol style="list-style-type: none"> are contiguous; or are contiguous but dissected by a roadway or roadways.
Mahinga Kai	Means garden of cultivation site used for traditional food-gathering purposes.

Main Living Area	means a living room, dining room or family room.
Major Hazardous Facility	<p>means any Hazardous Facility which involves one or more of the following activities:</p> <ul style="list-style-type: none"> • Manufacturing and associated storage of hazardous substances (including the manufacture of agrichemicals, fertilisers, acids/alkalis or paints) • Oil and gas exploration and extraction • Purpose built bulk storage facilities for the storage of hazardous substances (other than petrol, diesel or LPG) for wholesale or restricted commercial supply • The storage of more than 100,000L of petrol • The storage of more than 50,000L of diesel • The storage of more than 6 tonnes of LPG • Galvanising plants • Electroplating and metal treatment • Tanneries • Timber treatment • Freezing works and rendering plants • Metal smelting and refining (including battery refining or recycling) • Polymer foam manufacturing • Landfills. <p>The following activities are not major hazardous facilities:</p> <ul style="list-style-type: none"> • Agrichemical use, storage and transportation where these activities are carried out in compliance with NZS8409:2004 Management of Agrichemicals • Retail service stations and truck stops storing less than the identified threshold of petrol, diesel and/or LPG • Military training activities • The transport of hazardous substances (e.g. in trucks or trains) • Laboratories falling under the Exempt Laboratory Code of Practice and as provided for under section 33 of the HSNO Act. For the purposes of this Plan, 'laboratory' shall have the same meaning as in section 2 of the HSNO Act 1996. <p>Any milk processing and treatment plant which is designed so that any reasonably potential spillage of milk is contained within the site of the plant until it can be disposed of to an approved wastewater system.</p>
Mana Whenua	Means "customary authority exercised by an Iwi or Hapu in an identified area". Source: Resource Management Act, 1991, Section 2: Interpretation.
Marae Tourism	means land and/or buildings in which Maori education or entertainment is provided, and from which souvenirs may be sold, to tourists, by prior arrangement, as an ancillary activity to a Marae.
Mass Assembly of People	A group of people gathered together in one place for a common purpose. Mass Assembly of People includes but is not limited to gatherings associated with recreation activities, public entertainment events, or fairs. Golf course recreation and domestic gatherings do not amount to Mass Assembly of People.

		NOTE This definition only applies to the Runway End Protection Areas	
Mast		means any mast, pole, tower or similar structure designed to carry antennae to facilitate radiocommunication, telecommunication and wind resource investigation and meteorological monitoring.	
Mauri		Refers to the essential essence of all being; the life principle.	
Merchandising Area		means that part of the Gross Floor Area of a premise devoted to display sales and/or consumption of goods, commodities and related services and used by the customers, including in the case of a trader using yard/external space such additional area is also devoted to display or consumption of goods and commodities (whether or not the activity qualifies as a yard- based supplier).	
Meteorological Activities		means the establishment and operation of facilities, installations or equipment to measure, collect and distribute meteorological information. This includes telecommunication, radio and satellite links and wind resource investigation and monitoring.	
Micro Scale Wind Turbine		means small scale wind turbines less than 10 metres high (including blades) that are capable of generating up to 5kW of electricity.	
Mid-Block Pedestrian Link		an area of land or building, set aside as a passage way for pedestrian access between a road, service lane, reserve, or public place; and another road, service lane, reserve, or public place.	
Minimum Lot Area		means the total area of the lot less the area used for access where the lot concerned is linked to a public road via a single or shared access strip.	
Minor Dwelling Unit		means any self-contained dwelling unit with a gross floor area no greater than 80m ² on the same site and in the same ownership as the principal dwelling unit for the purposes of providing accommodation.	
Minor Trimming or Maintenance of a Scheduled Tree		means work undertaken by hand-operated secateurs or pruning shears.	
Minor Upgrading (for the purposes of Section 23 – Network Utilities)		Means, in respect of network utilities, an increase in the carrying capacity, efficiency or security of the network utility, utilising the existing network utility support structures or structures of a similar scale, intensity and character, and includes, but is not limited to: (i) the addition of circuits and conductors;	

	<ul style="list-style-type: none"> (ii) the reconductoring of the line with higher capacity conductors; (iii) the resagging of conductors; (iv) the addition of longer or more efficient insulators; (v) the addition of earthwires which may contain telecommunication lines, earthpeaks and lightning rods; (vi) the bonding of conductors; (vii) the addition of electrical fittings; (viii) support structure replacement within the same location or within the existing alignment of an electricity line; (ix) the replacement of existing cross-arms with cross-arms of an alternative design; (x) An increase in support structure height required to comply with NZECP34:2001 by not more than 15% of the base height of the support structure, and where the base height is defined as the height of the structure at date of public notification of the Plan; (xi) The realignment, reconfiguration or relocation of an existing gas distribution, water, wastewater or stormwater pipe or structure or ancillary structures within 2m of the existing alignment or location; (xii) The replacement of any panel antenna on an existing mast or support structure with a new one in all zones except the Residential Zone, provided the replacement panel does not exceed 1.5m² in area and the overall height of the facility to which the antenna is attached does not increase; (xiii) An increase in the height of replacement poles in road reserve by a maximum of 1m for the purpose of achieving road controlling authority clearance requirements provided that the permitted zone height is not exceeded; and/or the replacement of an existing pole in road reserve within 2m horizontal distance of the existing alignment or location. <p>Minor upgrading shall not include: an increase in the voltage of the line unless the line was originally constructed to operate at the higher voltage but has been operating at a reduced voltage.</p>
Motel Conference Centre	means land and/or buildings used to provide transient residential accommodation while associated with conference/training facilities and dining and drinking facilities.
Multiple Retail Development	means more than one retail tenancy sharing vehicle access and/or parking. Tenancy, for the purpose of this rule, means one retail trading activity occupying building space by way of freehold, leasehold, licence or any other arrangement to occupy, irrespective of whether or not the activity is bounded by walls or partitions.
Multi-Unit Residential Development	means three or more self-contained dwelling units that are located on one site. A multi-unit residential development includes but is not limited to apartment buildings, and terrace housing.
Napier Road Residential Extension Area	Means the area shown in Map 7.9
National Grid	the assets used or owned by Transpower NZ Limited as defined in the National Policy Statement on Electricity Transmission 2008.

National Grid Yard	<p>means:</p> <ul style="list-style-type: none"> the area located 12 metres in any direction from the outer edge of a National Grid support structure; and the area located 10 metres either side of the centreline of an overhead 110kV National Grid line on single poles; or the area located 12 metres either side of the centreline of any overhead National Grid line on pi poles or towers <p>See Explanatory Diagram 5: National Grid Yard</p> <p>NOTE The National Grid Yard does not apply to underground cables or to any transmission lines (or sections of line) that are designated</p>
National Grid Subdivision Corridor	<p>means the area measured either side of the centreline of above ground National Grid line as follows:</p> <ul style="list-style-type: none"> 14m for the 110kV lines on single poles 32m for 110kV lines on towers 37m for the 220kV transmission lines <p>NOTE TO PLAN USERS The National Grid Subdivision Corridor does not apply to underground cables or to any transmission lines (or sections of line) that are designated</p>
Natural Heritage Value	<p>means possessing historical, ecological, aesthetic, scientific, spiritual, social, intrinsic or other special significance; and includes, but is not limited to, landscapes, habitats, sites, individual trees, groups of trees, and other vegetation.</p>
Net Floor Area	<p>means the sum of the floor areas of a building, each measured to the inside of the exterior walls, but excluding any floor areas used for:</p> <ul style="list-style-type: none"> lift wells, including the assembly area immediately outside of the lift doors for a maximum depth of 2m; stairwells (including landing areas), tank rooms, boiler and heating rooms, machine rooms; those parts of any basement not used for retail, office, residential or industrial activity; toilets and bathrooms, provided that in the case of any hotel, accommodation motel or motel conference centre the maximum area permitted to be excluded for each unit shall be 3m². 50% of any pedestrian arcade or ground floor foyer which is available for public thoroughfare; <p>internal parking areas provided to comply with the requirements of the District Plan.</p>
Net Site Area	<p>means the total area of the site less the area used for access via a single or shared access strip.</p>
Network Utilities	<p>means those works undertaken by network utility operators as defined in Section 166 of the Resource Management Act 1991 and for the purpose of the District Plan also includes navigation and survey aids, beacons and meteorological activities, and services reticulation networks of local authorities.</p>
Noise Sensitive Activity	<p>means any:</p> <ul style="list-style-type: none"> residential activity accommodation motel motel conference centre community house

	<ul style="list-style-type: none"> • dwelling and dwelling unit • early childhood facility • multi-unit residential development • residential care • retirement village.
Non-habitable Structures	for the purpose of, R22.5.1.1, R22.5.2.1, R22.6.1.1 and R22.6.2.1 in Section 22 - Natural Hazards, means an unoccupied building or structure or a building or structure where people will not sleep.
Notional Site	with respect to earthworks provisions in the North East Industrial Zone, means the extent of land within which the development is contained, as identified on the site development plans required for any resource consent or building consent.
Offensive Activities	<p>means any activity which is predominantly concerned with any of the activities below, and which, by reason of the manufacturing method or the nature of materials used or produced, adversely affects the amenities of the surrounding environment. These activities are limited to:</p> <ul style="list-style-type: none"> a. blood or offal treating; b. bone boiling or crushing; c. dog crushing; d. fellmongering; e. fish cleaning and curing; f. flax pulping; g. flock manufacturing or teasing of textile materials for any purpose; h. gut scraping and treating; i. refuse collection and disposal (excluding the day-to-day removal of refuse, by Council or an authorised contracting agency); j. storage, drying or preserving of bones, hides, hoofs or skins; k. tallow melting; l. tanning; m. wood pulping; n. wool scouring; o. slaughtering of animals (excluding the on-farm slaughtering of animals for personal use, to feed the stock owner's animals and/or for animal welfare reasons).
Office Activity	means an activity which involves the use of land or buildings or part of a building for an administrative or professional activity.
Office Product Supplier	<p>means a business primarily engaged in selling goods for office use or consumption (in which context the term "office" is not confined to the definition in this Plan) and without limiting the generality of this term, includes suppliers of:</p> <ul style="list-style-type: none"> • computers and related equipment; • copiers, printers and facsimile machines; • integrated telephone systems and equipment; • office furniture, equipment and utensils; and • office stationery and software applications.

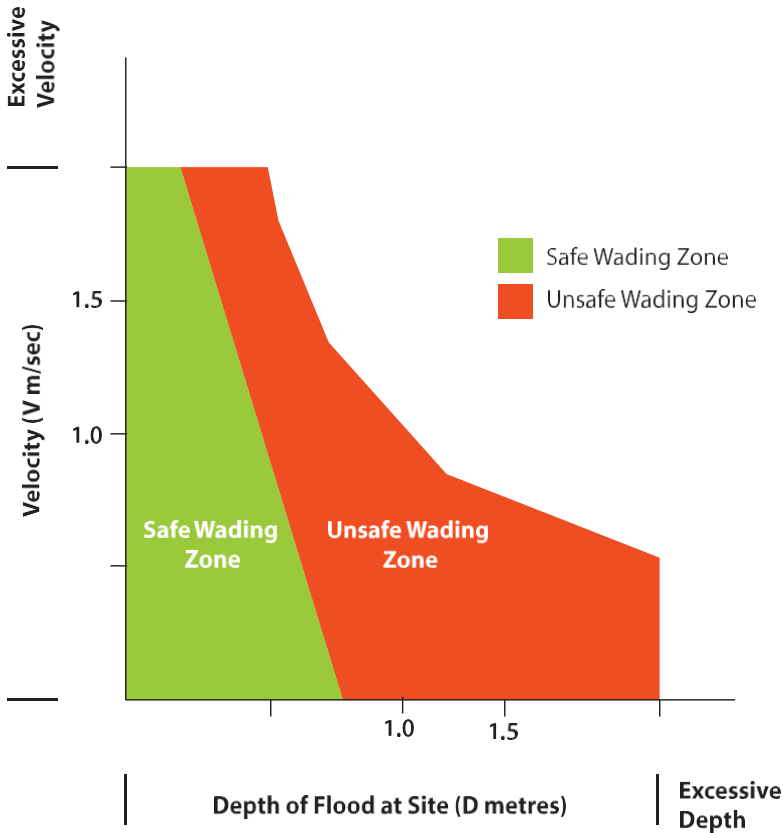
Official Sign	means any sign for public safety erected in fulfilment of legislative or regulatory responsibilities to provide advice, warnings or education for the purpose of people's wellbeing and safety.
Official Transport Sign	Means any sign erected or approved by a road controlling authority for the purposes of regulating, warning, or informing road users (including pedestrians) of road conditions, locations, activities, traffic control, or other such information relative to the use of the road, including tourist and essential service facilities. This definition includes other road controlling devices, such as traffic lights, railway crossing lights and barrier arms.
Open Construction	In relation to R10.6.1.7(d): means able to be viewed through, and with not less than 65% openness over the elevation of the fence. Open areas exclude any surface of the fence which is solid, but may include wire mesh, or wrought iron or similar elements with a facing edge not thicker than 12mm and spaced at not less than 80mm centres.
Papa Kainga	Papa kainga is a form of housing development which occurs on multiply- owned Maori or ancestral land. Traditionally, the literal meaning of papa kainga housing is, 'a nurturing place to return to'.
Parking Aisle (refer to Explanatory Diagram 4)	means an area of pavement used by vehicles to gain access to, and to manoeuvre into and out of parking spaces.
Pedestrian Street	means those streets identified as Pedestrian Streets in Map 20A.4, Roading Hierarchy – Palmerston North Central Area, in Section 20: Land Transport of the District Plan.
Permeable Surface	Means any part of a site which is grassed or planted in trees or shrubs and/or is capable of absorbing water or is covered by decks which allow water to drain through to a permeable surface. It does not include any area which; <ol style="list-style-type: none"> 1. Falls within the definition of site coverage except for decks above; 2. Is occupied by swimming pools; or 3. Is paved with a continuous surface.
Places of Worship	means land and/or buildings used for religious meetings, gatherings and worship. It also includes office, counselling or community facilities associated with but ancillary to the place of worship.
Portable Sawmill	means a small scale sawmill not permanently established on a site and which is capable of being removed from the site, on wheels or via a trailer unit.
Primary Stormwater Elements	<u>means structures, artificial water bodies, stream stabilisation works, pipes, culverts and ancillary infrastructure that form part of a stormwater management system designed to receive stormwater from development within the Aokautere Greenfield Residential Area and intercept contaminants, manage stormwater velocity and minimise stream bed and gully erosion in the Aokautere gully reserves shown on the Aokautere Structure Plan.¹⁰</u>

¹⁰ S50.025

Prepared Food & Beverage Outlet	means a business primarily engaged in the preparation and serving of food and beverages for immediate consumption and without limiting the generality of this term includes: <ul style="list-style-type: none"> • restaurants; and • takeaway food outlets.
Pressure Sewer Areas	Means the following areas where pressure sewer systems must be utilised: <ul style="list-style-type: none"> • The North East Industrial Zone Extension Area as shown in Map 7.2 • The City West Area as shown in Map 9.2 • The area of land bound by Napier Road, Roberts Line, the remnant river terrace and MacPherson Grove (PT LOTS 2 3 SEC 418 TOWN OF PALMERSTON NORTH, LOT 10 DP 499783, LOT 1 DP 41671, PT LOT 1 DP 25691, LOT 1 DP 16031 BLK XI KAIRANGA SD, LOT 1 DP 456688 and LOT 5 DP 72405 LOT 2 DP 456688) • Refer to map 7.8 – Map of Pressure Sewer System Areas
Pressure Sewer System	Means a sewer system where sewage is conveyed under pressure generated by multiple pump units, each located on an identified private property, to a shared pressure main.
Production Land	means the same as the definition within Section 2 of the Resource Management Act 1991.
Production Forestry	means the planting, replanting, cultivation, management and extraction of exotic trees in forests or tree plantations and indigenous forestry specifically planted and grown for harvest. This includes the processing of the timber on the site by use of a portable sawmill provided this does not occur for a period exceeding 6 months in any calendar year. This does not include shelter belt planting.
Public Service Corridors	means land vested or proposed to be vested in the Council, servicing or capable of servicing, public purposes such as roads, Council drains, recreation areas and walkways.
Public Open Space	means any Council owned park or recreation land including City reserves, local reserves, walkways and amenity reserves.
Public Space	means those places in public or private ownership which are available for public access or leisure and that are characterised by their public patterns of use. Public spaces include, but are not limited to, streets, accessways, squares, plazas, urban parks and reserves, open space and all open and covered spaces within buildings or structures that are generally available for use by the public, notwithstanding that access may be denied at certain times.
Quarrying	means the excavation of any kind of material from earth, and includes any works, machinery and plant used in connection with quarrying operations and the storage and processing of materials quarried on site.
Radiocommunication	means any transmission, emission or reception of signs, signals, writing, images, sounds or intelligence of any nature by electromagnetic waves of frequencies between 9 kilohertz (kHz) and 3,000 gigahertz (GHz), propagated in space without artificial guide.
Radiocommunication Facility	means any mast, aerial, antenna dish or other structure, facility or apparatus used or intended for the purpose of facilitating radiocommunication.

Radiofrequency Transmitting Equipment	means equipment which is capable of transmitting or emitting electromagnetic energy for communication purposes with frequencies in the range of 3KHz to 300GHz but excluding (1) common residential based radiofrequency devices such as baby monitors, radio controlled toys, electronic door openers, cell phones, and mobile phones; and (2) hand held amateur radio transceivers operating on the amateur UHF and VHF bands.
Rangitanenuiarawa	Refers to Rangitane o Manawatu protocols.
Recreation Retail Activity	For the purposes of the Recreation Zone means facilities catering for the refreshment needs and convenience of park users.
Renewable Electricity Generation Activities/Facilities	has the same meaning as defined by the National Policy Statement for Renewable Electricity Generation 2011.
Renewable Energy Resources	is a collective term given to energy resources that have the potential to: <ul style="list-style-type: none"> • maintain or enhance renewable electricity generation capacity; maintain or enhance the security of electricity supply; • assist in meeting international climate change obligations and avoid or reduce reliance on fossils fuels for the purposes of generating electricity.
	NOTE TO PLAN USERS For example, wind, solar, hydro, geothermal, biomass, tidal, wave and ocean current energy sources are Renewable Energy Resources
Restaurant	means a business primarily engaged in the preparation and serving of food and beverages for consumption on the premises and without limiting the generality of this term includes: <ul style="list-style-type: none"> • catering establishments; • coffee bars and tearooms; • food courts; and • fully licensed, BYO licensed and unlicensed restaurants and/or cafés.
Residential Centre	means land and/or buildings where long term accommodation is provided for more than five people. This includes hostels associated with tertiary and secondary educational institutions.
Restructuring of Land	means the reshaping or remodelling of the existing land but excludes siteworks associated with building on an existing site.
Retail Activity	means a business primarily engaged in selling or hiring displayed or offered goods to the general public and unless provided otherwise in this Plan, does not include: <ul style="list-style-type: none"> • commercial service activities; • prepared food & beverage outlets; or • trade suppliers.
	NOTE TO PLAN USERS This definition is only applicable to the assessment of activities within the Fringe Business Zone.

Retirement Village	means a comprehensive development which may include housing, recreational, welfare, and medical facilities which is intended principally or solely for retired persons or people with disabilities.
Risk	means within the hazardous substances section of the Plan, the likelihood of occurrence of an adverse effect from a substance combined with the magnitude of the consequence of that adverse effect.
Roadside Stalls	means the use of a site, building or part of a building for the purposes of selling direct to the public, farm produce (including that associated with nurseries), provided that all goods for sale are produced on the site. This shall include rural packing sheds from which sales are made direct to the public.
Routine Maintenance	means the minor repair of buildings where minor repair means the repair of materials by patching, piecing-in, splicing, and consolidating existing materials and including minor replacement of minor components such as individual bricks, cut-stone, timber sections, tiles and slates where these have been damaged beyond reasonable repair or are missing. The replacement should be of the original or similar material, colour, texture, form and design as the original it replaces and the number of components replaced should be substantially less than existing.
Runway End Protection Area	means the area identified in Map 13.2: Runway End Protection Areas.
Rural Areas	means any land zoned rural or race training.
Rural Fence	means those fences described under "Rural" in the Second Schedule (Specimen Types Of Fence) of the Fencing Act 1978.
Rural Industry	means land and/or buildings used for industry which involves the processing of primary products and/or is better located in the rural area because of the need to achieve a separation from other activities; an land/or buildings used by rural contracting businesses to provide services related to the primary production sector, including but not limited to agriculture, aerial topdressing, forestry, earthmoving and construction, and transport.

Safe Wading Zone	<p>the water velocity and depth combinations which are identified as Safe Wading Zone as shown on the following diagram</p> 
Sand/Sawdust Roll	means land or structures intended to provide an area for horses to roll.
Scheduled Building or Object	means any building or object included on the Schedule of Buildings and Objects of Cultural Heritage Value identified in Appendix 17A.
Scheduled North East Industrial Zone Site (SNEIZ)	<p>means the following sites which are Zoned North East Industrial and are subject to additional development and subdivision requirements:</p> <ul style="list-style-type: none"> • Lot 1 DP 81319.
Scheduled Site or Object	means any site or object included on the Schedule of Objects and Sites or of Cultural Heritage Value to Tangata Whenua as identified in Appendix 17B.
Scheduled Tree	means any tree or group of trees included on the Schedule of Notable Trees and areas of significant vegetation identified in Appendix 17C.
Self-contained	means having a separate entrance, kitchen facilities, living facilities, and toilet/bathroom facilities.
Sensitive Activities (National Grid)	for the purposes of R23.8.2 and R23.10.2 means the following activities around the National Grid: community houses, dwellings and dwelling units, early childhood facilities, residential centres, retirement villages, schools and hospitals.
Separation Distance	<p>means the distance from the outer wall of a building to:</p> <ol style="list-style-type: none"> the outer wall of another building; the boundary of a site. <p>Separation Distance excludes decks that are no greater than 0.5 metres above ground level.</p> <p>In the case of hazardous facilities and hazardous sub-facilities, Separation Distance means:</p>

	<p>a. the distance from the edge of a hazardous facility to the boundary of the site on which that activity occurs;</p> <p>b. within the Institutional Zone:</p> <ul style="list-style-type: none"> the distance from the edge of a hazardous facility to the boundary of the site on which the activity occurs and; the distance from the edge of a hazardous facility to the boundary of the Institutional Zone and; the distance from the edge of a hazardous sub-facility to the edge of another hazardous sub-facility where more than one institution occupy the same legal site(s) or one institution occupies one or more legal site(s) and contains more than one sub-facility.
Service Rooms	means those rooms such as the bathroom, laundry and the kitchen.
Service Station	means a business primarily engaged in the fuelling of motor vehicles. This may also include mechanical repairs and servicing of motor vehicles. Retail sales for the convenience of the travelling public may also be included, provided such sales remain incidental and ancillary to the principal use of fuelling motor vehicles.
Shelter Belt	means trees planted to provide shelter for stock and/or crops and which are not primarily intended for the production of timber.
Sign	means any text, graphics or lighting effect designed or intended to attract attention. This includes any materials used on the sign, as well as any additional structure, support, frame, or anchorage.
Site	means an area of land capable of being disposed of separately.
Site Coverage	means that portion of the net site area, expressed as a percentage, which may be covered by all buildings and storage space, including eaves, balconies and verandas in excess of 0.6 of a metre in width, but excluding uncovered swimming pools, decks of 0.5 of a metre in height or less, and ramps of 0.5 of a metre in height or less with handrails of an additional 0.9 of a metre in height or less.
Sitework	means work on a building site, including earthworks, preparatory to or associated with the construction, alteration, demolition, or removal of a building as defined within Section 7 of the Building Act 2004.
Sleep-out	means an external bedroom, incidental and physically separated from the primary dwelling, with a maximum gross floor area no greater than 36m ² , which may have an en-suite, but which is not self-contained.
Small Neighbourhood Centre	for the purposes of the Local Business Zone, means a centre that contains between 5 and 10 commercial tenancies.
Sound Transmission Path	means any possible sound path from outside the building to inside the room of interest but where the building construction option is both part of the outside envelope of the building and also part of the room itself.
Special Entertainment Event	means any sporting, entertainment or performance event or series of events occurring on any one day. If events have a duration of more than one day then each additional day shall be treated as a separate event.
Specified Sporting Facilities	for the purposes of signage, means Fitzherbert Park, Vautier Park, Memorial Park, Ongley Park, Skoglund Park, Monrad Park, Manawaroa Park, Coronation Park, Colquhoun Park, Bill Brown Park and Ashhurst

	Domain
Spill Containment System	means a permanent structure which will contain liquids or solids in the event of a spill and prevent them from entering the stormwater system or a natural water body.
Storage	means, in terms of the hazardous substances section, the containment of a substance or mixture of substances, either above ground or underground, which is not being used for manufacturing or for the alteration of substances to another substance but does not include substances used as a cooling or heating medium. Storage does include the filling or emptying of the container.
Stormwater Detention	in the North East Industrial Zone Extension Area, means the temporary comparatively short term holding back of runoff generated from a rainfall event. The emphasis is on peak flow management normally with the aim of meeting downstream peak capacity limitations.
Stormwater Retention	in the North East Industrial Zone Extension Area, means the retaining of runoff generated by a rainfall event on a site or in a Watercourse Reserve Area within the confines of the site or the Watercourse Reserve Area to ensure volume derived downstream effects are properly managed. The length of time water is stored is subject to natural infiltration and evapotranspiration rates.
Street Character Building	means a building identified in Figure 11.4, Street Character Buildings within the North West Square Heritage Area Subject to R11.6.2.6 of the Inner Business Zone.
Street Furniture	means sculptures, works of art, road signage, bus shelters, parking meters, seating and other such amenity enhancement works.
Structure Plan Map North East Industrial Zone	means Structure Plan Map: North East Industrial Zone (Map 7.2) and associated Structure Plan Cross Section Road Layouts 1, 2, 3 and 4.
Structural Maintenance of Flood Protection Works or Structures	means the structural repair, upkeep, or repainting of an existing flood protection structure or work, including stopbanks, guide banks, groynes, linear bank protections (including live bank protection works), and other associated flood protection structures. Maintenance does not include additions to or alteration or redevelopment of an existing flood protection work or structure beyond its original size, form, or design.
Substation	means any building, structure, enclosure, either above or below ground, confined to a given area, incorporating electrical equipment operating at a voltage greater than 11KV, which may include electrical switch gear, control gear, transformers or protection devices, but excludes those installations which contain only isolation equipment or fuses or relays and where such electrical equipment is not contained in a building, structure or enclosure and the electrical equipment itself is in the substation.
Supergraphics	means any large-scale application of colour, texture, words or designs to a building to the extent that the building itself becomes a sign. The use of supergraphics, in applying the rules of this Plan, are considered as an advertising device.

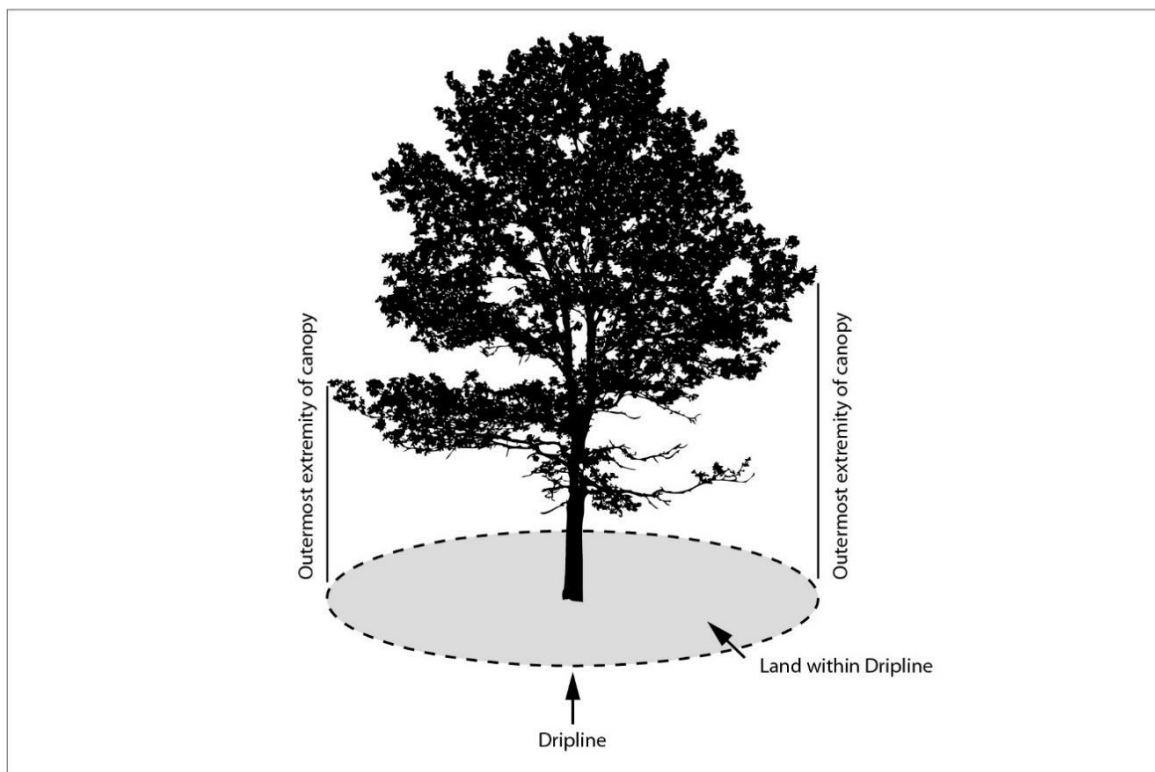
Supermarket	Means self-service shop primarily selling a wide range of fresh produce, meat, packaged food and other foodstuffs and a comprehensive range of domestic supplies, household goods and convenience goods, and may include Lotto services and a pharmacy, and has a minimum gross floor area of 400m ² .
Tangata Whenua	Refers to the Iwi, Hapu or Whanau holding mana in a particular locality, "in relation to a particular area and means the Iwi, Hapu, which holds mana whenua over that area". Source: Resource Management Act 1991, Section 2: Interpretation.
Taonga	Means all things prized or treasured; both tangible and the intangible treasures. Source: Resource management Act 1991, Section 6(e).
Tararua Ranges Landscape Protection Area	means the area spatially defined on Map 9.1 and shown on the planning maps.
Telecommunication	means the conveyance from one device to another of any sign, signal, impulse, writing, image, sound, instruction, information, or intelligence of any nature.
Telecommunication Cabinet	means a casing around equipment that is necessary to operate a telecommunications network.
Telecommunication Facility	means any mast, aerial, antenna dish, line, or other structure, facility or apparatus intended for the purpose of facilitating telecommunication.
Telecommunications Link	means any line, radio frequency, or other medium used for telecommunication, and for the purposes of the Plan includes satellite dishes.
Telecommunications Works	includes: a. line and any instrument, furniture, plant, office, building, machinery, engine, excavation, or work, of whatever description, used in relation to, or in any way connected with a line; b. a fixed radio station.
Temporary Military Training Activity	Means all temporary training activities conducted for defence purposes. Defence purposes are set out in Section 5 of the Defence Act 1990
Temporary Sign	means any sign erected for the purposes of advertising a product, service, person, event or location. Temporary Signs cannot be permanent but can be fixed or portable in nature. Temporary signs do not include footpath signs erected on the road reserve or election signs, both of which are controlled by the Palmerston North Signs and Use of Public By-Law 2015 (and subsequent amendments or updates).
Theatre	means a building, or part of a building, with seating facing a stage, and used principally for entertainment purposes.

Tikanga Maori	Means customary values and practices. Source: Resource Management Act 1991, Section 2 Tikanga is derived from “tika”, or that which is right or just. “Tikanga” may be looked upon as Maori principles for determining justice. “Tikanga” is also used for ritual, but in the sense that ritual is also “tika”, customary or correct. Ritual and ceremony themselves are described by “kawa”. “Kawa” refers also to process and procedure of which “karakia” (rites of incantation), forms a part.
Tourist Facility	means land and/or buildings in which activities oriented to transient, domestic or international visitors are undertaken to provide education or entertainment.
Trade Supplier	means a business substantially engaged in sales to businesses and institutional customers as well as to the general public and without limiting the generality of this term, includes: <ul style="list-style-type: none"> • automotive & marine suppliers; • building suppliers; • farming & agricultural suppliers; • garden & patio suppliers; and • office product suppliers.
Training Facilities	means land and/or buildings used for educational and/or vocational training of a post-secondary nature.
Training Tracks	means land developed as a private training track to exercise and/or educate race horses. This includes tracks for training horses for hurdling and steeple chasing.
Transmission Line Support Structure	In respect of the National Grid means tower or pole.
Undevelopable Land	means any land in Aokautere which is not identified as developable land on Map 10.1
Urban Areas	means any land zoned Residential, Business, Industrial, Institutional, North East Industrial, Recreation, Caccia Birch.
Use	means, in respect of Hazardous Facilities, the manufacturing, processing or handling of a substance or mixture of substances for a particular activity, without necessarily changing the physical state, or chemical mixing, blending and packaging operations.
Utility Structure	for the purposes of Section 23 Utilities, means any structure associated with a network utility and includes, but is not limited to, pipes, valves, meters, regulator stations, transformers (other than a pole mounted transformer), substations (other than an overhead substation), compressor stations, pumping stations, navigational aids, meteorological installations, telephone booths, containers, cabinets and similar structures, whether for private or public purposes. It does not include lines, antennas or masts.
Variant Business Centre	for the purposes of the Local Business Zone, means a grouping of businesses that do not fulfil a convenience role to a local catchment (see definition of Local Catchment). Those provisions that specifically relate to Variant Business Centres will cease to have legal effect on 1 June 2014, unless, before then, a new definition of Variant Business Centre is proposed through a variation or plan change.

Wahi Tapu	Refers to sites, areas or localities associated with tapu. May include urupa, places where baptismal rites are performed, historic battlegrounds, etc. Only Tangata Whenua can identify their wahi tapu.
Wahi Taonga	Refers to sites, areas or localities of significance to Maori.
Wahi Tupuna	Refers to sites, areas or localities of historical, cultural and spiritual significance to Whanau, Hapu or Iwi but not necessarily tapu sites. Important pathways, village sites, boundary indicators, etc are included as wahi tupuna
Warehouse	means any building or part of a building used for the receipt, dispatch, breaking down or consolidation of goods owned or held on consignment by the occupier of the building pending sale or distribution.
Water Attenuation Activities	<p>means any physical works carried out for the purposes of providing attenuation of stormwater within Watercourse Reserve Areas in the North East Industrial Zone Extension Area.</p> <p>NOTE TO PLAN USERS The location of Watercourse Reserve Areas are shown on Structure Plan Map: North East Industrial Zone (Map 7.2 within the Subdivision Section of the Plan)</p>
Water Sensitive Design	<p>means an approach that aims to limit changes to the hydrologic cycle caused by development, specifically by minimising post development increases of stormwater runoff, whether in frequency or volume. This includes design measures to manage hydrology on-site, before stormwater runoff is concentrated to become a significant point source discharge. Water Sensitive Design encompasses approaches such as Low Impact Design.</p> <p>Water Sensitive Design (WSD) seeks to protect or enhance the environmental, social and economic values of downstream environments. It also seeks to reduce the frequency, duration and volume of stormwater runoff to mitigate the risks of nuisance flooding and moderate post-development flows to waterways. A reduction in demand on potable water supply and improved amenity in the urban environment are key matters that WSD seeks to achieve.</p>
Whakarongo Residential Area	means the Greenfield Residential Area shown in the Whakarongo Structure Plan (Map 7A.1).
Wind Farm	<p>means wind turbines (other than a Domestic Wind Turbine and Microscale wind turbine) used to generate energy from the wind, and includes:</p> <ul style="list-style-type: none"> turbines, including support pylons or towers ancillary buildings and structures including substations, maintenance building and communications equipment <p>A Wind Farm excludes transmission lines and infrastructure associated with transmission lines.</p>

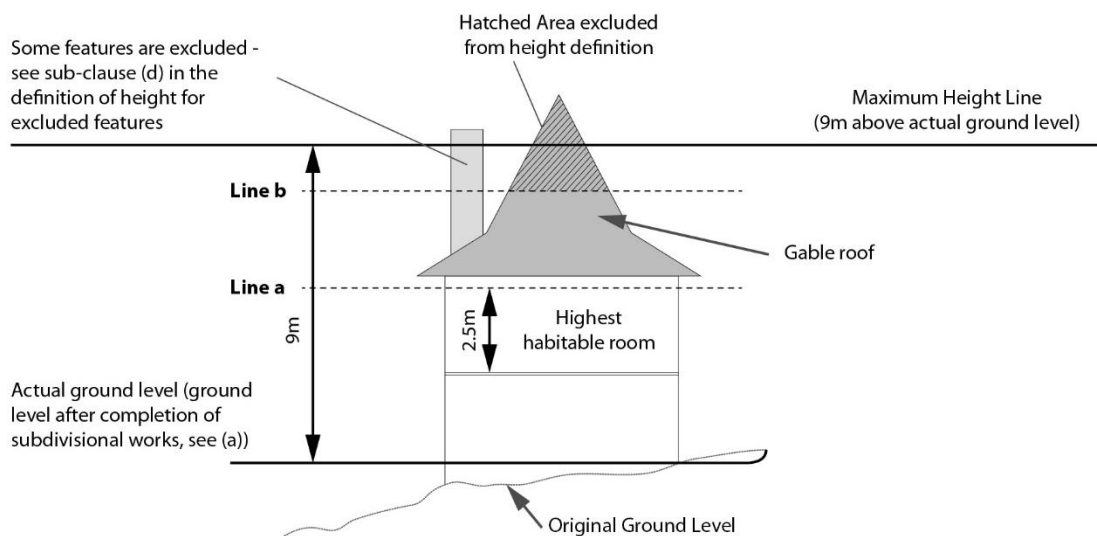
<p>Yard-based Supplier</p>	<p>means a retail activity or trade supplier where more than 50% of the area devoted to display of goods and commodities is located within any or all of the following types of business environment:</p> <ol style="list-style-type: none"> 1. an open or partially covered but not enclosed yard, accessible to shoppers for inspection and selection and to vehicles for the direct loading of stored and displayed product; 2. an open or partially covered but not enclosed yard, accessible only to pedestrian shoppers for inspection and selection of stored and displayed product; and/or 3. separately partitioned space within an enclosed structure, used for the storage, display and selection of product for direct internal loading onto vehicles entering and exiting the space via drive-through lanes. <p>NOTE TO PLAN USERS</p> <p>Parking generation in relation to yard space is not pro-rata to enclosed retail or trade supply space and in the case of 1 and 3 above, is provided (for customers) within the yard.</p>
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EXPLANATORY DIAGRAM 1 DRIPLINE



Residential Building Height

(Diagram not to scale)



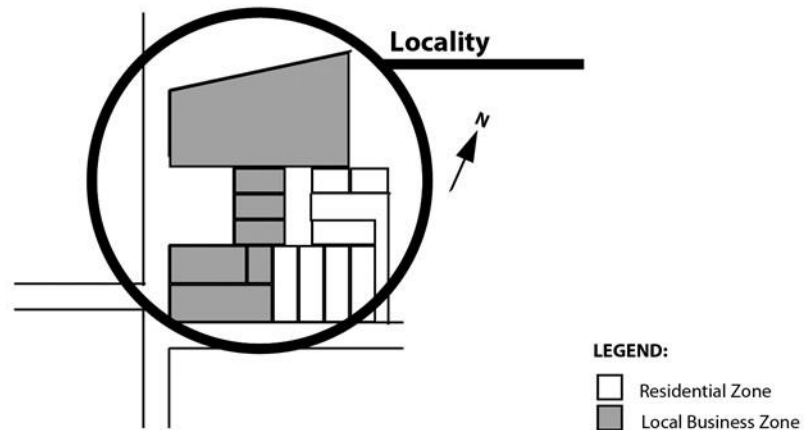
Line a = line 2.5m above floor level of highest habitable room
Line b = line mid-way between **Line a** and ridge-line of roof

NOTE TO PLAN USERS

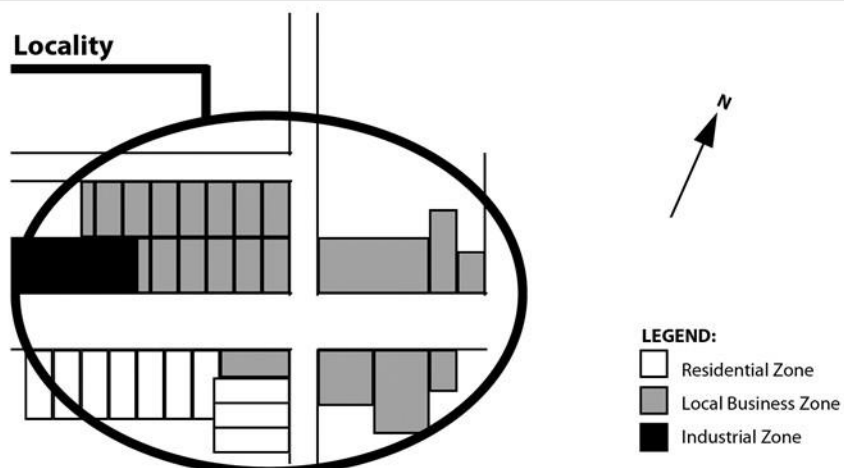
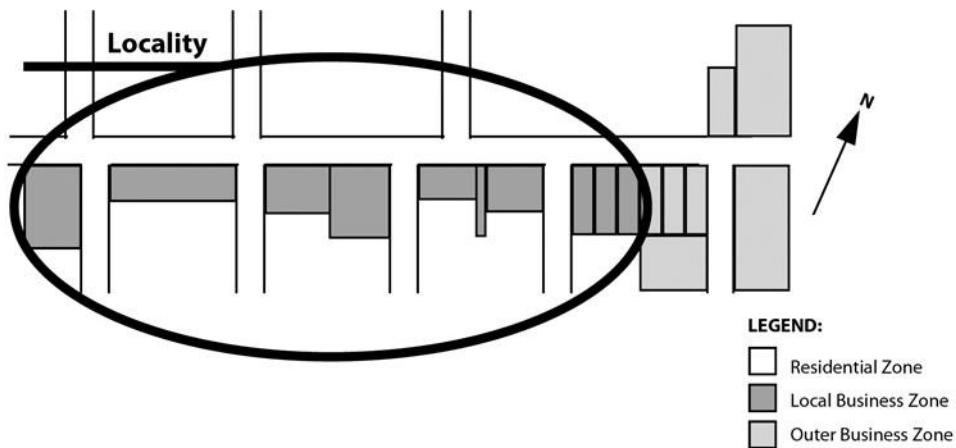
This diagram must be read in conjunction with the definition of 'height'. This diagram relates only to the definition of height, it does not provide any exclusion from any height recession line or other District Plan requirement.

EXPLANATORY DIAGRAM 3 LOCALITY

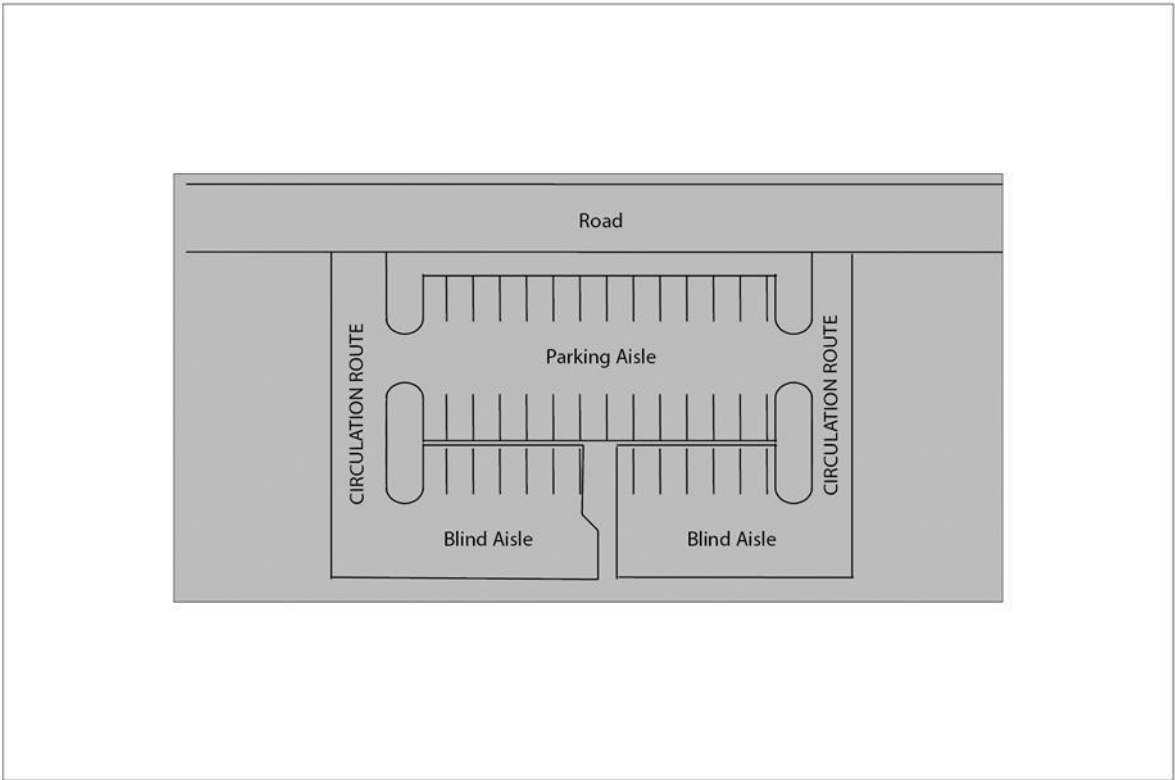
Figure Locality Def. (i): Contiguous Local Business Zone



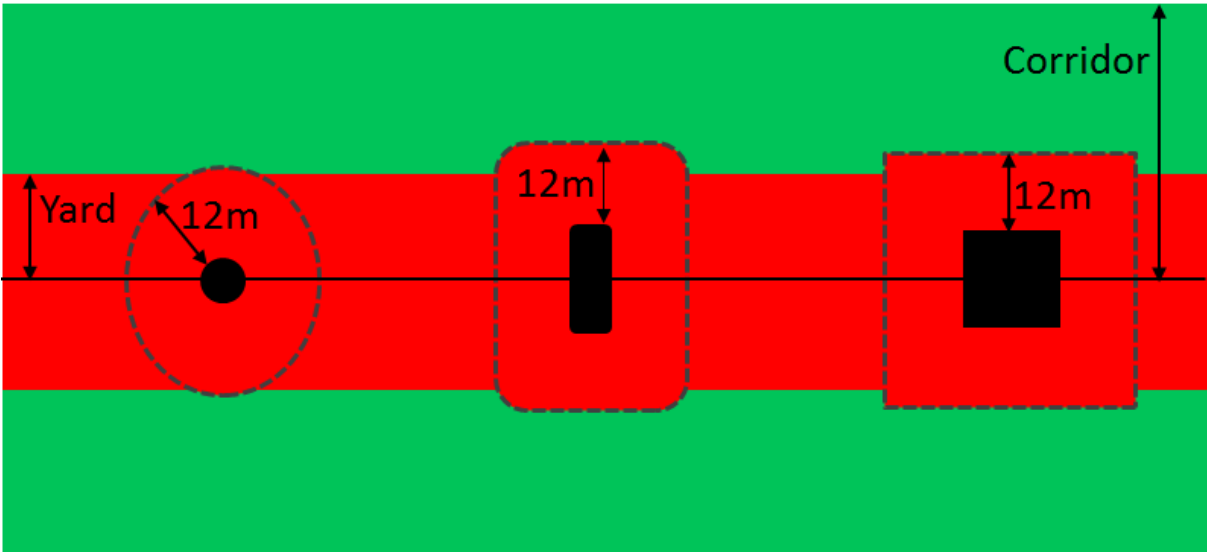
**Figure Locality Def. (ii): Contiguous Local Business Zone
but dissected by roadway or roadways**



**EXPLANATORY DIAGRAM 4:
CIRCULATION ROUTES, PARKING AISLES AND BLIND AISLES**



**EXPLANATORY DIAGRAM 5
NATIONAL GRID YARD**



LEGEND

Not to scale

- Centreline ● Single Pole ■ Pi Pole ■ Tower

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¹ S50.025

7. SUBDIVISION

7.1 Introduction

The Nature of Subdivision

The control of subdivision of land is one of the functions of the City Council under Section 31 of the Resource Management Act 1991. Subdivision is essentially a process to enable the separate ownership of land and the registration of interests in land. The registration of those interests, essentially, does not alter the way land is used.

Subdivision of land is defined in s218 of the Resource Management Act 1991 and is essentially the process of dividing land or a building into further titles or changing the location of an existing boundary. This definition includes all forms of division of an allotment, including cross lease, unit title and company lease.

Section 11 of the Resource Management Act 1991 was amended in 2017 so that subdivision is now permitted unless expressly restricted by rules in the District Plan or a national environment standard. This aligns with the presumption that land use is permitted unless restricted under s9 of the Resource Management Act 1991.

In nearly all cases, a proposal to create separate titles will require physical development work, including the clearance of vegetation, the carrying out of earthworks, the construction of roads and vehicle accesses and the installation of utility services.

Many, if not all, of these individual elements of physical change are "uses of land" as defined in Section 9 of the Resource Management Act 1991 and will generally be allowed as Permitted Activities subject to performance standards.

The Council requires consent to be obtained for all subdivision in order to ensure that the adverse effects on the environment related to the physical aspects of subdivision and its subsequent development are avoided, remedied or mitigated. The use of the subdivided land must comply with the relevant controls for the zone in which the land is situated. Section 5.5 of the District Plan contains the information requirements that need to be submitted with each subdivision application.

The effects of subdivision can include:

- the loss of productive land through urbanisation and inappropriate rural development
- the consequential effects of re-contouring, ground and vegetation disturbance, altered run-off patterns, increased impervious surfaces and altered landscape
- the physical effects from construction of roads and services and the erection of buildings and other construction effects
- additional demands on the capacity of essential services (network infrastructure) and existing private services
- effects on natural character, natural resources, water quality
- effects on cultural and heritage sites, tangata whenua values
- effects on existing character and amenity values, and social and economic conditions.
- effects on the safe and efficient functioning of network utilities and infrastructure, in

particular infrastructure and physical resources of regional or national importance.

- the cumulative effects on the land transport network, of additional vehicle access crossing points, in terms of impacts on traffic flows and patterns, road and pedestrian safety and in the case of the primary road network, the efficient movement of traffic.
- reverse sensitivity effects where new, sensitive land uses lead to constraints on existing or consented land use activities.

Subdivision can also result in positive effects as it facilitates the provision of housing, social and community facilities, industry, commerce and primary production by enabling ownership of and investment in land and buildings.

7.2 Resource Management Issues

The following resource management issues were identified with regard to subdivision:

1. Uncontrolled subdivision can lead to the unsustainable use of land, particularly rural land, where land fragmentation can reduce the overall productive capability of rural areas and result in the loss of versatile soils for use as production land.

Explanation

The Resource Management Act 1991 mandates Council to incorporate provisions in District Plans to assist in achieving sustainable land use and to avoid, remedy or mitigate the adverse effects of use, development on natural and physical resources land, including the protection of land.

The need to intervene through regulation in the form of District Plan subdivision controls arises from the purpose and principles of the Resource Management Act 1991 and in part from the Objectives and Policies of the Manawatu-Wanganui Regional Council's One Plan.

The One Plan directs territorial local authorities to consider the benefits of retaining Class 1 and 2 versatile soils for use as production land, when providing for urban growth and rural residential subdivision, and in their assessment of how best to achieve sustainable management.

As subdivision provides a framework for development, the District Plan subdivision controls need to have regard to:

- *Retaining the productive capability of land and soil resources;*
- *The benefits of the retention of Class 1 and 2 versatile soils for use as production land, in planning and providing for urban growth and controlling rural residential subdivision;*
- *Avoiding ad-hoc rural residential subdivision and risks in terms of rural land fragmentation and maintaining a consolidated urban form;*
- *The risk to the City's reticulated infrastructure network of ad-hoc service connections from new rural residential subdivisions, in terms of diminished network capacity, operational efficiency and the premature conversion of rural land to urban use;*
- *The provision of services (water, stormwater and wastewater treatment systems) and infrastructure to the level and standard prescribed in Council's 'Engineering Standards for Subdivision' and the requirements of the One Plan, in the case of on-site domestic wastewater treatment systems in rural areas;*
- *Management of activities on hazard prone land;*
- *Retaining significant indigenous vegetation, bush, trees and groups of trees;*
- *Management of riparian land;*
- *Management of the adverse effects of discharges;*
- *The need to avoid, remedy or mitigate the adverse effects of development on Outstanding Natural Features and Landscapes (ONFL's), cultural and heritage areas, landscape protection areas and amenity values.*
- *Management of reverse sensitivity effects associated with complaints from new sensitive land uses located in proximity to existing, lawfully established activities or operations.*

2. Subdivision and the subsequent physical development of new allotments can result in

adverse environmental effects if not appropriately managed.

Explanation

- The physical development aspects of subdivision and the resultant land use have the potential to cause adverse effects including:
- The acceleration and worsening of material damage to land or structures caused by natural hazards;
- Construction effects of ground disturbance and new works causing dust, increased stormwater runoff and sedimentation of waterways;
- The loss of natural character through re-contouring, vegetation and tree removal, effects on natural features and landscapes, cultural and heritage resources, and water quality;
- Adverse effects on the ability of the land transport network to operate safely and efficiently.

3. Uncontrolled urban growth can have adverse effects on natural and physical resources, including productive soils, utility services, urban infrastructure and land transport networks.

Explanation

Subdivision within the existing urban form has beneficial effects in that it contributes to a more compact City, reduces the need for the conversion of rural land on the fringe of the City and generally makes more efficient use of existing services and assists in a reduction of travel by private car.

However, not all aspects of intensification are beneficial, particularly with respect to residential housing development. Potential impacts of intensification include overtaxing of existing infrastructure, a loss of established vegetation and green-space, effects on established residential character, a reduction of amenity values and a sense of overcrowding and undesirable building density. Appropriate site selection and site layout is important to facilitate subdivision while avoiding or mitigating adverse effects.

Subdivision controls need to be devised that will:

- Maintain options for future City expansion;
- Maximise consolidation opportunities without adversely affecting the amenity of existing areas;
- Ensure that development contributes to high-quality co-ordinated streetscapes and public open space;
- Provide a variety of allotments for future land uses;
- Manage additions to and the expansion of roading and essential services.
- Provision of essential services to new urban allotments that integrate with the existing reticulated City services
- Mitigate the effects of increased impermeable surfaces.

4. Natural hazards can pose significant risks to the health and wellbeing of people, and natural hazards risks must be considered and managed in the design and implementation of subdivision.

Explanation

The limitations of land and the possible effects of natural hazards need to be taken into account in the design and implementation of subdivisions. Proposals for the subdivision of land should be assessed against a background of past history, current knowledge and future possibilities relating to natural hazards. The ability to refuse subdivision or to impose conditions is a critical factor in the avoidance or mitigation of the adverse effects of natural hazards.

The Flood Protection Zone, particularly the Te Matai Road area, is the main repository of the City's versatile Class 1 soils. To promote greater utilisation of this land resource and also meet industry demand for appropriately sized lots, smaller lot subdivision is provided for as a Restricted Discretionary Activity in the Flood Protection Zone for horticultural and agricultural activities. Subdivision for the purpose of residential occupancy is not permitted and Consent Notices will be registered against the certificate of title. When considering applications for resource consent, the

Council will have particular regard to expert flood hazard advice provided by Horizons

5. The potential adverse effects of subdivisions in rural areas and the resulting land uses.

Explanation

Existing zoning patterns and subdivision controls for the rural area must promote sustainable management.

The basic subdivision controls necessary are controls to avoid the inappropriate fragmentation of higher quality rural land into parcels that will compromise their future use for primary production and potentially lead to an irreversible change of use, predominantly to smaller, primarily residentially-used properties. The specification of a minimum lot size standard will ensure that lots are appropriately sized for a range of primary production activities and will sustain the productive capability of land.

The District Plan makes specific provision for rural-residential subdivision on some of the City's less versatile rural land to meet demand for rural living, and to help reduce pressure to subdivide higher quality land, for residential purposes. An Overlay for rural residential subdivision identifies areas suitable for rural residential development, to avoid a proliferation of rural residential activities throughout the Rural Zone and reverse sensitivity issues for farming and horticultural enterprises and existing and consented Wind Farm activities.

Reverse sensitivity effects are also recognised in the Plan in relation to the Palmerston North Airport and other significant regional and district infrastructure and nearby residential activities (including such activities in the Rural Zone). Reverse sensitivity issues should be avoided or mitigated via performance standards or at the time of subdivision consent through the imposition of conditions or the decline of consent.

In the Rural Zone lots for residential occupancy are required to be self-serviced in terms of a wastewater system, a stormwater drainage system, water supplies for fire-fighting, and electricity services. Specific controls are necessary in relation to these on-site services to avoid, remedy or mitigate any adverse effects on the environment and to protect public health, in the case of on-site wastewater systems.

Network utilities and renewable electricity generation facilities are often located in the rural environment on account of their special technical and locational requirements. Recognition of operational requirements at the time of subdivision consent, and in setting conditions on subdivision applications, will protect existing network utilities and existing and consented Wind Farms from adverse effects, including reverse sensitivity effects, provide for their continued reliable and secure operation and ongoing maintenance, while ensuring the health and safety of the people and communities that they serve.

6. Subdivision and its subsequent land use can have the potential to cause adverse effects on the ability of the land transport network to operate safely and efficiently.
7. The uncoordinated and inefficient provision of infrastructure can result in potential adverse effects on urban form and the sustainable and efficient operation of infrastructure networks.
8. The fragmentation of rural zoned land and infrastructural demands of unplanned residential and industrial growth, including rural subdivision of a residential nature.

Explanation

Ad-hoc subdivision developments that have regard only for their own purpose can lead to a lack of road connectivity and the inefficient progression and provision of essential services. Policies and rules need to be in place so that additional roads and essential services are developed to an appropriate urban standard, in an efficient and logical manner, and that they integrate well into the City's infrastructure.

9. Some parts of the urban area if the City would be better served via pressure sewer instead of traditional gravity connection to the reticulated sewage network because of liquefaction risks to traditional wastewater infrastructure, reduced installation and maintenance costs of pressure sewer systems and the ability of pressure sewer systems to conserve downstream network capacity.

7.3 Objectives and Policies

Introduction

This part of the Subdivision Section, in contrast to the approach elsewhere in the Plan, contains very specific and focused policies. This largely reflects the nature of subdivisional activity particularly its dependence on infrastructural services and the fact that it is a process which ultimately leads to the creation of a new certificate of title. These policies will provide specific and focused guidance to those considering application for resource consents, particularly with regard to the appropriateness or otherwise of granting consent and the type of condition, if any, to be attached to any consent.

OBJECTIVE 1

To ensure that subdivision of land and buildings in urban areas is consistent with integrated management of the use, development and protection of land and other natural and physical resources.

POLICIES

- 1.1 To enable the subdivision of land and buildings for residential, commercial, industrial and other purposes generally in accordance with existing land use patterns, and to promote sustainable management of the City's resources by ensuring that the land within the urban area is fully utilised consistent with maintaining amenity values.

Explanation

A consolidated and mature pattern of existing urban land uses has been established within the City. The North East Industrial Zone is incorporated in the Plan to extend the City's urban area and to provide specifically for industrial growth. It is expected that subdivision of land for residential, commercial, industrial and general purposes will continue within the urban area. Policy 1.1 is intended to ensure that orderly growth takes place in the interests of sustainable management of natural and physical resources, within the existing urban area by way of consolidation. This policy reinforces the 'convenient community objective' by making provision for subdivision to facilitate further use of land within the urban area.

Policy 1.1 in part addresses Resource Management Issue 7.2.1 recognising that subdivision is a tool to promote sustainable management of natural and physical resources and also addresses Resource Management Issue 7.2.3 relating to the need to provide for controlled growth in a sustainable manner.

- 1.2 To avoid subdivision activity for urban purposes outside areas zoned for urban development.

Explanation

Urban growth studies have shown that sometime in the future there will be a need for outward growth of the urban area.

Where urbanisation is proposed outside the recognised zoning pattern such proposals must be fully assessed as to their effect on the established pattern of development and the need for further expansion.

Policy 1.2 addresses Resource Management Issue 7.2.1 and 7.2.5 in respect of the use of rural land for non-rural purposes and Resource Management Issue 7.2.3 in respect of the need for controlled urban growth.

- 1.3 To ensure that all proposed new lots have been designed to allow development and use without any adverse effects on the environment which cannot be adequately avoided, remedied or mitigated.

Explanation

This policy recognises that land uses require appropriately designed allotments if adverse effects are

to be avoided and/or mitigated. The policy will ensure that when the Council is exercising its discretion to approve and/or impose conditions on subdivisions that the design and arrangement of lots is suitable for the expected land uses in the zone concerned and that nothing in the subdivision will compromise the utilisation of the lot in an efficient and sustainable manner.

This policy addresses Resource Management Issue 7.2.2 and in part Resource Management Issue 7.2.6.

- 1.4 To avoid the intensive urban subdivision of land which is subject to significant physical limitations and/or natural hazards.

Explanation

Parts of the City have limitations such as flooding, liquefaction and soil stability on urban use. This policy, in conjunction with the zoning pattern, envisages that subdivision standards and resource consent conditions are used to manage in part this aspect of urban development. This Policy addresses Resource Management Issue 7.2.4.

- 1.5 To enable the subdivision of residential land into allotments of less than 350m² in the Palmerston North residential areas, and less than 500m² in the Ashhurst, Bunnythorpe and Longburn residential areas in the following situations:

- Around existing medium density or multi-unit housing development; or
- In conjunction with a consented multi-unit housing development (R10.6.3.3 or R10.6.4.3); and
- Where it can be demonstrated that a dwelling can be contained within the site having regard to relevant permitted activity performance standards.

- 1.6 To ensure that subdivision does not impair or destroy the cultural heritage values associated with buildings, objects and sites identified in Appendix 17A and 17B of the Plan and 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. One of the essential contributing factors to the area's significance is its relatively intact subdivisional arrangement.

To ensure that this important characteristic is sustained, the Council considers that the further re-subdivision of existing sites within the Savage Crescent Conservation Area should be appropriately managed so as to ensure that this identifiable pattern is neither compromised nor destroyed (also refer Section 10 - Residential Zone for associated provisions relating to the demolition or removal of existing dwellings, or the construction of additional dwellings within this area).

- 1.7 To ensure that all subdivisions in the Napier Road Industrial Precinct:

1. Comply with Structure Plan 12.1 to ensure that identified infrastructure corridors and planted buffer areas are protected and that their future function is not compromised.
2. Take into account the need for the area to develop as an integrated and efficient industrial precinct that specifically provides for small to medium sized industrial activities.
3. Evaluate landscape provisions for the area at the time of subdivision and have appropriate conditions attached relating to planting and landscape requirements for the area being subdivided (planted buffer areas and remnant river terrace).
4. As a matter of priority (particularly the first subdivision) provide works and services that provide effective protection from the effects of a 0.2% annual exceedance probability flood event (1 in 500 year flood).

5. As a matter of priority (particularly the first subdivision) provide works and services that enable the effective collection and disposal of stormwater likely to be generated from the entire Napier Road Industrial Precinct and total stormwater catchment area that drains to the west and northwest corner of the Napier Road Industrial Precinct.

NOTE TO PLAN USERS

See Objective 3 for specific guidance on subdivision in rural areas.

- 1.8 To ensure that subdivision contributes to established residential character, high-quality co-ordinated streetscapes and public open space.

OBJECTIVE 2

To ensure that subdivision is carried out in a manner which recognises and gives due regard to the natural and physical characteristics of the land and its future use and development, and avoids, remedies or mitigates any adverse effects on the environment.

POLICIES

- 2.1 To require lots to have areas and dimensions to meet the needs of users and to sustain the land resource by ensuring that:
 1. Lots in the Residential Zone have the necessary area and dimensions to enable the siting and construction of a dwelling and accessory buildings, the provision of private outdoor space, service courts, vehicle access and parking in accordance with the relevant Permitted Activity Performance Standards.
 2. For all other lots, that these have the appropriate area and dimensions to enable the siting and functioning of the proposed buildings and land uses in accordance with the Permitted Activity Performance Standards of the relevant zone.
- 2.1 A To encourage subdivision design and layout that will take into consideration the shape, orientation and aspect of sections so as to create building sites and outdoor amenity areas which a northward orientation to enable access to solar energy and passive solar gain.
- 2.2 To ensure that all new lots have safe and adequate vehicle access from the roading network by providing that:
 1. Every lot is to have access from a formed existing road, or a new road to be formed, to enable vehicles to enter the site with the dimensions of the access sufficient to accommodate the level of vehicle usage anticipated. The access should be designed to enable vehicles to turn within the lot and to leave it in a forward direction.
 2. The construction is to be to a standard and of materials to support the anticipated traffic, require minimum maintenance and to control and dispose of stormwater runoff.
 3. Any allotment with frontage to a Major or Minor Arterial road which has no alternative means of access to an existing public road in the local network, shall have access arrangements approved by Council, in terms of an Access Management Structure Plan.
- 2.3 To ensure safe, convenient and efficient movement of people, vehicles and goods in a high quality environment with minimum adverse effects by providing that:

1. The layout of the transport network shall, as appropriate for their position in the roading hierarchy, ensure that people, vehicles and goods can move safely, efficiently and effectively, minimise any adverse effect on the environment, make provision for network utility systems and make provision for amenity values. The layout of the transport network shall:
 - provide adequate vehicular access to each lot;
 - link to, and provide for, and be compatible with the existing and future transport networks, taking into account orderly and integrated patterns of development and adjoining developments;
 - connect to all adjoining roads, providing for choice of routes where practicable;
 - identify significant destinations and provide for safe and convenient access to these by all modes;
 - encourage multi-modal street links, providing pedestrian links; and
 - provide adequate access for emergency vehicles.
2. The development provides for a high quality public realm considering:
 - the potential for the street to be a place for recreational walking and cycling;
 - the outlook from dwellings as well as a functional place for movement;
 - the provision of street trees and other street landscaping in a coherent layout;
 - the continuity of or relationship to street landscape design of adjacent streets;
 - the integration of Water Sensitive Design principles;
 - the safety and visibility of pedestrians; and
 - the provision of any local park spaces as required by Council's public space policy and their integration into the layout.
3. The road network stormwater control system shall protect the road, road users and adjoining land from the adverse effects of water and minimise any adverse effect on the environment.
4. The structure of a road shall:
 - have a design life of at least 25 years based on Equivalent Design Axle, or equivalent design methods;
 - be constructed from materials suitable for the intended use;
 - maintain adequate surface smoothness; and
 - be protected from the adverse effects of surface and ground water.
5. The road network stormwater control system shall:
 - have a design life of at least 80 years;
 - adequately convey water to an approved discharge point;
 - avoid the likelihood of leakage and infiltration and the penetration of roots;
 - avoid the likelihood of blockages; and

- provide reasonable access for maintenance.
6. Urban roads are to be well lit by specifically designed street lighting, are to be constructed to such standards and in such materials as will result in minimum maintenance having regard to the anticipated levels and types of traffic.
- 2.4 To improve land utilisation, to safeguard people, property and the environment from the adverse effects of unstable land by ensuring that:
1. Disturbance to the natural land form, existing vegetation (e.g. trees, groups of trees, notable and protected trees, vegetation or habitats), natural drainage and significant natural features is minimised and historic and cultural features are protected commensurate with achieving an efficient and aesthetically pleasing subdivision design and site layout.
 2. Earthworks withstand and remain stable under anticipated loads.
 3. When land is subdivided that the resultant lots contain safe and adequate building sites and have roading and access suitable for activities.
 4. Planning and design of earthworks is carried out after thorough investigation of the nature of the existing land, its ability to support the construction proposed and its general suitability for subdivision.
 5. Earthworks are to be designed and constructed to:
 - provide safe and adequate building platforms and foundation for roads and services;
 - provide for the adequate control of stormwater;
 - avoid the likelihood of erosion and instability;
 - not unnecessarily alter the natural landscape;
 - remain safe and stable for the duration of the intended land use;
 - not unnecessarily rely on artificial or human-built structures for stability; and where such structures are employed these shall remain safe and stable for the duration of the intended land use;
 - cater for the natural groundwater flows and be geotechnically sound;
 - avoid contamination of ground water;
 - avoid lowering ground water levels;
 - avoid or mitigate the diversion of ground water flows.
 6. In Aokautere, earthworks, and in particular the restructuring of land, are to be the subject of specific design by a registered engineer experienced in soil mechanics or geotechnical matters and shall take into account the predicted improvements to soil slope and stability which will be achieved and the impact on existing vegetation and landscape values [and in the Aokautere Structure Plan area, the effect of future stream erosion in the gullies²](#).
- 2.5 To avoid, remedy or mitigate the adverse effects of land development by ensuring as far as possible that the carrying out of land clearance, earthworks and other construction activity does not result in:
- a dust nuisance or the discharge of other contaminants to the air;
 - the migration of silt, soil and roading material to waterways or adjoining

² S39.008

Palmerston North City Council District Plan
properties;

- damage to property from stormwater runoff.

Explanation

The carrying out of land clearance, earthworks and road construction can cause adverse effects on the neighbouring environment including damage to property from uncontrolled stormwater runoff, dust nuisance from earth moving and exposed surfaces and the pollution and/or siltation of waterways with silt, soil and other deleterious material.

This policy will achieve the objective of avoiding, remedying or mitigating adverse effects by ensuring that the development effects of subdivisions are recognised and dealt with by conditions of consent.

- 2.6 To avoid, remedy and/or mitigate the adverse effects caused by alterations to the natural land form and removal of vegetation (e.g. trees, groups of trees, notable and protected trees, vegetation or habitats) and to enhance the amenities of the natural and built environment by requiring that:
1. Road berms and new allotments are topsoiled following earthworks and road berms sown in grass and planted.
 2. Public open space is formed, topsoiled, landscaped and planted to a level commensurate with its purpose and ease of maintenance.
 3. Earthworks are designed, built, and landscaped to avoid and/or mitigate adverse effects on the amenities of adjoining existing or potential residentially zoned areas.
- 2.7 To safeguard people from injury or illness caused by infection or contamination resulting from sewage or industrial liquid waste; and to safeguard the environment from adverse effects of sewage disposal by ensuring:
1. The removal of sewage and industrial liquid waste to treatment systems and/or final discharge points.
 2. The provision of structures and systems able to accommodate the anticipated flows and withstand the anticipated loads.
 3. The layout of the sewerage network:
 - adequately services each lot;
 - connects into the existing City Council reticulated sewerage system and conveys sewage through public service corridors in urban areas;
 - utilises gravity operation outside of Pressure Sewer Areas, except where it can be demonstrated that the use of pressure sewer systems will be feasible for geotechnical, hydraulic, engineering and safety reasons;
 - utilises pressure sewer systems in Pressure Sewer Areas; and
 - does not unduly restrict the location of any future buildings.

Note to Plan Users:

Consent notices shall be used in relation to allotments reticulated with a Pressure Sewer System to ensure the requirement and management of on-property equipment for the Pressure Sewer System is identified.

4. The structure of the sewerage network:
 - has a design life of at least 80 years;
 - is constructed from materials suitable for the intended use;
 - ensures safety in operation, avoiding the likelihood of leakage and infiltration and the penetration of roots; and
 - avoids the likelihood of blockage.

5. All allotments in urban areas are to be provided with a connection to the City Council reticulated sewage system.
6. In rural areas including the areas identified on the Planning Maps for rural residential subdivision, sewage will be disposed of on-site in accordance with Clause G13 of the Building Code as set out in the First Schedule to the Building Regulations 1992 and the requirements of the One Plan for on-site domestic wastewater treatment systems, in particular the Manual for On-site Wastewater Systems Design and Management (Manawatu-Wanganui Regional Council, 2010).

And the size, shape and arrangement of allotments:

- recognises the physical constraints of the site;
- is capable of disposing the anticipated wastewater loads on-site;
- permits appropriate access for maintenance and servicing.

2.8 To provide water for consumption, health and hygiene and firefighting by requiring that:

1. The water reticulation network ensures an adequate supply of potable water, makes provision for fire-fighting requirements, accommodates the anticipated flows and withstands the anticipated pressures and loads.
2. The layout of the water reticulation network:
 - adequately services each lot;
 - connects into the existing City Council reticulated water system through public service corridors in urban areas;
 - is compatible with other utility systems;
 - avoids the likelihood of potable water contamination;
 - permits appropriate access for firefighting.
3. The structure of the water reticulation network:
 - has a design life of at least 70 years;
 - is constructed from materials suitable for the intended use;
 - avoids the likelihood of leakage;
 - avoids the likelihood of potable water contamination;
 - if carrying non-potable water, is clearly identified as such;
 - provides appropriate access to the system for firefighting purposes.
4. All allotments in urban areas are provided with a connection to the City Council reticulated water supply system, for estimated domestic, commercial and industrial consumption.
5. In rural areas, properties must be supplied with water, including water for fire-fighting requirements that is to be met from rainwater tanks, bores, wells or specially constructed storage tanks.

2.9 To safeguard people, property and the environment from the adverse effects of surface water by ensuring that:

1. The layout and functioning of the stormwater drainage system:

- adequately services its catchment;
- incorporates Water Sensitive Design principles wherever appropriate;
- adequately services each lot, road area or other land area falling to the point of entry into the drainage system;
- caters for a 1% annual exceedance probability rainfall event (100 year flood) using a system appropriate for the intended land use;
- ensures gravity operation;
- links with the existing stormwater drainage network;
- does not unduly restrict the location of any future building; and
- ensures that stormwater disposal from the subdivision would not increase the risk of inundation in urban areas.

2. The structure of the stormwater drainage system:

- has a design life of at least 80 years;
- is constructed from materials suitable for the intended use;
- incorporates Water Sensitive Design principles wherever appropriate;
- ensures safety in operation;
- avoids the likelihood of leakage and infiltration and the penetration of roots;
- avoids the likelihood of blockages;
- if in pipes or lined channels, avoids the likelihood of penetration by roots or the unintended entry of groundwater.

3. In urban areas all allotments are to be connected to a Council approved stormwater drainage system.

4. In rural areas stormwater runoff from new subdivisions and subsequent uses should be discharged to existing water courses in a manner which will not damage property or cause erosion of any river bank or bed, or increase sedimentation of any river bed.

2.10 To make appropriate provision to and within subdivisions for connections to electricity, gas and telecommunications facilities in an efficient, cost-effective manner by ensuring that:

1. The supply of electricity and the provision for telephone services (including fibre-optic cable supplying ultrafast broadband) is made by means of an underground system in urban areas and other areas where overhead reticulation will have an adverse effect on the environment, except where this is technically impractical or impossible.
2. Adequate provision is to be made for street lighting to all new urban roads or roads upgraded as part of the subdivision approval.
3. Appropriate arrangements are to be made so that individual connections to telephone and gas (in respect of urban lots only) services can be made if required with a minimum of disturbance to subdivisional construction, including opportunities for shared underground ducting.

2.11 To ensure that sufficient land for public open space and reserves is set aside in convenient locations and is of a quality to meet the needs of the community by

ensuring that:

1. Reserves have sufficient road frontage so that users are visible to the general public for safety reasons.
2. Reserves are located so that they are easily accessible to the general public and to those with special needs.
3. Reserves have a terrain and are of a type and size that is useable for a number of recreation activities.

2.12 To manage the effects of subdivision on the safe, effective and efficient operation, maintenance, upgrading and development of the National Grid by ensuring that:

1. National Grid Yards and National Grid Corridors are identified in the Plan to establish safe buffer distances for managing subdivision and land use development near electricity transmission lines and support structures;
2. Sensitive activities and large-scale structures are excluded from establishing within National Grid Yards;
3. Subdivision is managed within National Grid Corridors to avoid subsequent land use from restricting the operation, maintenance, upgrading and development of the National Grid; and
4. Changes to existing activities within a National Grid Corridor or National Grid Yard do not further restrict the operation, maintenance, upgrading and development of the National Grid

Explanation

The physical development aspects of subdivision have the potential to cause adverse effects on the environment. Also, the community expects a good standard of land transport, services and built environment for residential, business and industrial development. Water is an essential commodity for industry, public health and fire-fighting. Stormwater drainage systems are necessary to control flooding and drain low lying areas. The nature of subdivision often leads to an intensification of land use which traditionally results in an increase of impervious surfaces. In turn these place greater demands on the City stormwater systems. Limiting increases in peak stormwater flows and volumes reduces the need for new infrastructure and improves resilience of the existing systems. Sewerage systems are an essential public health service and are also important for industrial uses.

Alterations to existing landform through earthworks, particularly in greenfields development, can have adverse effects on the amenities of adjoining residential areas or those areas that may later be developed for residential use. These effects can include the adverse visual effect of large embankments, and other earthworks. Policy 2.6 requires these effects to be addressed at the subdivisional approval stage. Policy 2.6 in part addresses Resource Management Issues 1 and 2.

The detailed policy requirements are necessary to ensure that appropriate conditions are imposed on subdivisions to achieve a satisfactory result for the residents and occupiers of new sites and to avoid and mitigate adverse environmental effects.

OBJECTIVE 3

To ensure that subdivision of land and buildings in rural areas is consistent with integrated management of the use, development and protection of land and other natural and physical resources and

- retains Class 1 and Class 2 versatile soils for use as production land
- retains the productive capability of rural land and recognises the valuable contribution made by class 3 soils
- enables small landholdings for intensive horticulture activities in the Flood Protection Zone

- provides for limited rural residential development on land which contains less versatile soils
- maintains the low density development pattern in the Moonshine Valley Rural Residential Area
- **requires development to be in general accordance with any relevant Structure Plan**
- provides for efficient and effective on-site services and regular maintenance
- avoids connection to the City's reticulated infrastructure network and consequential impacts on network efficiency and the extension and/or upgrade of the infrastructure network, including the road network and pressure sewer systems
- preserves or enhances rural character
- avoids reverse sensitivity effects
- enables the acquisition or disposal of land for network utilities, public works and quarrying
- **protects, restores and enhances the gully network and indigenous biodiversity and wetlands in Aokautere**
- **avoids or mitigates natural hazards.**³

POLICIES

3.1 To enable the subdivision of rural land into allotments of 20 hectares or more, where the following matters have been recognised and provided for:

- a. The land proposed to be subdivided must be appropriate for subdivision, taking into account:
 - a. efficient and effective on-site servicing;
 - b. earthquake fault lines;
 - c. the potential for erosion, subsidence, slippage, flooding, wildfire or inundation from any source;
 - d. the stability of the land and its suitability to provide a foundation for the erection of buildings, vehicle access and parking areas (if necessary, and the reconstruction of the land for that purpose);
 - e. flood hazard avoidance within Flood Prone Areas or mitigation to protect against a 0.5% AEP flood event;
 - f. any other natural hazard;
 - g. safety, health and amenity;
 - h. setbacks from high voltage electricity transmission lines
 - i. setbacks from existing or consented wind turbine sites for subdivision for new residential dwellings.
 - j. the extent to which the subdivision and subsequent development involving any noise sensitive activity will result in significant adverse effects on the operation and viability of any adjoining farm, forestry or horticultural activity or other lawfully established land-based activity.
- b. Adequate provision must be made on-site, for water supply, including firefighting

³ 50.008

water supply, waste disposal, stormwater drainage, the disposal of sewage, and the supply of electricity, where residential occupancy is proposed.

- c. The avoidance of significant obstruction to, or other interference with, the free movement of traffic on roads in the city, and in particular on State Highways, Major Arterial and Minor Arterial Roads.
- d. The identification and avoidance or mitigation of adverse effects of the subdivision on the special characteristics of archaeological and registered historic sites, sites of importance to Tangata Whenua, spawning rivers and other areas of amenity, ecological or cultural significance (e.g. Trees, groups of trees, notable and protected trees, sites, vegetation and habitats).
- e. The identification and avoidance or mitigation of significant adverse effects of the subdivision on the landscape character of the area, and in particular skyline ridges, knolls, rock outcrops; and special landform features, watercourses, wetlands and native vegetation.
- f. The subdivision and subsequent development must not require reticulated network services or an extension or upgrading of any other service or road, except where it is in the economic interest of the City and will not compromise the efficient functioning of the city infrastructure networks.
- g. The subdivision does not create significant adverse effects on the characteristics and values of regionally Outstanding Natural Features and Landscapes, being the land area spatially identified on the Map 9.1: The Tararua Ranges Landscape Protection Area.

3.2 To avoid the subdivision of rural land into allotments of less than 20 hectares (excluding subdivisions for rural-residential purposes in areas identified for that purpose on the planning maps, and subdivisions to create an allotment for an existing surplus dwelling), unless it is demonstrated that:

- a. the subdivision of rural land and associated buildings is for the purpose of supporting an existing farm, forestry or horticultural enterprise associated with the production (but not processing) of primary products, livestock grazing or cropping, and it is demonstrated that:
 - i. the size, shape and arrangement of allotment(s) is a practical size for rural land use activities and does not unduly restrict the range of options for the use of production land;
 - ii. the existing farm, forestry or horticultural enterprise can continue to operate efficiently, at the subdivided scale;
 - iii. the subdivision and subsequent development will not result in significant adverse effects on the operation and viability of any adjoining farm, forestry or horticultural activity or other lawfully established land-based activity;
 - iv. the land and buildings retain the potential for the production of primary products, forestry or crops, as a result of the proposed subdivision;
 - v. the subdivision and subsequent development minimises the over capitalisation of rural land associated with the construction of future dwellings and buildings used for a non-rural purpose, and maintains the sustainability of the rural land resource;
 - vi. the subdivision layout and design retains Class 1 and Class 2 versatile soils and recognises the value of Class 3 soils for use for primary production and maintains the availability of the versatile land resource, for use by future

- vii. the subdivision and subsequent development will not require connection to the City's reticulated infrastructural network or an extension or upgrading of any service or road, except where it is in the economic interest of the City and will not comprise the efficient functioning of the City infrastructure networks;
 - viii. the subdivision of rural land and associated buildings is being undertaken for an important ancillary rural activity, with a demonstrable functional need to be located in rural areas, and the activity will not constrain the operation and viability of existing primary production and / or other lawfully established land-based activities.
- b. the subdivision is for the purpose of the acquisition or disposal of rural land for a network utility, public work or quarry.
 - c. The subdivision provides for the intensification of an existing rural-residential area located outside of the areas identified for that purpose on the planning maps and the subdivision is not inconsistent with the matters detailed in policy 3.5(a) to (n).

Note to Plan Users:

Map 7.6 details the spatial extent of class 1, 2 and 3 soils in Palmerston North City.

- 3.3 To enable subdivision of land with versatile Class 1 and Class 2 soils in the Flood Protection Zone into allotments of 2 hectares, where the subdivision is for the purpose of creating a new allotment for horticulture, cropping and grazing activities and where it is demonstrated that:
- a. the area and dimensions of the new allotment are adequate to accommodate the proposed activity and will not compromise the range of options for the future use of the versatile soils resource;
 - b. the subdivision layout and design of the allotment will avoid, remedy or mitigate the potential for adverse effects on activities on the environment.
 - c. no building for residential occupancy will be erected on the newly created allotment.
- 3.4 To enable the subdivision of rural land into allotments of between 1 - 2 hectares, where the subdivision is for the purpose of creating a new allotment for an existing surplus dwelling, and where it is demonstrated that:
- a. the area and dimensions of the new allotment can accommodate the existing on-site services (and drainage areas) and provide for efficient access for maintenance purposes;
 - b. the subdivision layout and design of the allotment will avoid, remedy or mitigate the potential for adverse effects on the environment, including reverse sensitivity effects.

Explanation

The subdivision of rural land is important for the local economy and the efficient management of the natural and physical resources in rural areas. Objective 3 and the associated policies enables consenting of rural subdivisions to be undertaken within a reference framework, designed to avoid or mitigate significant adverse effects, that might otherwise arise.

Efficient land use requires appropriately sized allotments, if adverse effects of subdivision are to be avoided and/or mitigated. Policy 3.2 seeks to avoid the creation of rural blocks that are too small for practical rural use, and their future use for rural residential purposes or non-rural activities.

To protect rural land for primary sector production and sustain the ongoing productive capability of

Class 1 and Class 2 versatile soils, rural subdivision is controlled through a minimum lot size standard. This Performance Standard will avoid fragmentation of rural land into lots which are inefficient and unsustainable in terms of their productive capability, economic viability and utility. It will ensure that allotments are large enough to support rural land use activities, such as livestock grazing. Larger landholdings have more utility value and transferability of use to other primary sector production systems or management arrangements, if circumstances or market conditions warrant land-use change. These policies address Resource Management Issue 1 and .5 and give effect to the Council's Rural Residential Land Use Strategy (Palmerston North City Council 2012).

Subdivision is enabled in the Flood Protection Zone to facilitate the use of high quality versatile soils for horticulture activities and meet industry demand for smaller sized lots, between 1 and 2 hectares. The Flood Protection Zone, particularly the Te Matai Road area, is the main repository of the City's versatile Class 1 soils. Residential occupancy is not permitted in the Flood Protection Zone and Consent Notices will also be registered against the certificate of title, to inform future purchasers of this fact. Subdivision consents will only be approved where the written consent of the Manawatu- Wanganui Regional Council is obtained. In circumstances where the horticulture or cropping activity or site-specific factors exacerbate flood hazard risk, Council will consider exercising its power under s 106 of the Resource Management Act 1991, to decline subdivision consent.

Subdivision is enabled to create a small lot for a surplus dwelling, for example, a farmhouse that is no longer required as part of the farm operations or for the permitted use of the property, provided an existing residential dwelling and remains on the balance of the property. Policy 3.3 provides considerable flexibility in terms of the design of the lot, to allow for site-specific circumstances, with the proviso that the lot area is not less than 1 hectare and not more than 2 hectares. This is considered an appropriate lot size to accommodate areas for on-site domestic wastewater treatment and drainage purposes and minimise reverse sensitivity effects for existing, established activities on adjacent land.

Subdivision can create adverse reverse sensitivity effects on other land uses in the rural area. These effects are to be managed through the use of performance standards requiring that building sites are setback from these activities.

Rural subdivision and consequential land development activities can result in adverse visual or landscape effects. A Landscape Protection Area has been identified and is spatially defined in Map 9.1, in order to protect regionally significant natural features and landscapes, notably the Tararua Ranges and the Manawatu Gorge. The characteristics and values of these landscapes are described in Schedule 9.1. Subdivision within the Tararua Ranges Landscape Protection Area as identified on Map 9.1, needs to be appropriately managed to avoid significant adverse cumulative effects on the essential characteristics and values of these natural features and landscapes and ensure the visual integrity and coherence of these landscapes, is protected.

3.5 To enable the subdivision of rural land into small allotments for rural-residential purposes in the areas identified for that purpose on the Planning Maps, where it is demonstrated that:

- a. The subdivision avoids Class 1 and Class 2 versatile soils and maintains the availability of versatile soil resources for use, by future generations;
- b. The subdivision does not result in, or contribute to, a concentration of urban activities in the rural area;
- c. The subdivision does not compromise the Council's urban growth plans and strategies;
- d. The proposed subdivision is capable of being efficiently and effectively serviced by on-site water and wastewater services and the wastewater treatment system meets the requirements of the Manawatu-Wanganui Regional Council's One Plan and Manual for On-site Wastewater Systems Design and Management (Manawatu-Wanganui Regional Council (2010);
- e. The subdivision does not create additional demands for an extension or upgrade of any service or road, where that extension or upgrading is not in the economic interest of the City, nor result in network in-efficiencies for the City's integrated water, wastewater and road networks;
- f. The adverse effects of flooding and stormwater are avoided or mitigated,

- including the management of the effects of specific flood hazard mitigation measures on people, property, infrastructure and the natural environment;
- g. The subdivision achieves sustainable and efficient land transport connectivity and integration with the surrounding development pattern and land use activities;
 - h. The subdivision avoids ribbon development along road corridors and the need for additional access points along state highways and arterial roads;
 - i. The subdivision identifies and protects the special characteristics of any archaeological and registered historic sites, sites of importance to Tangata Whenua; spawning rivers and
 - j. Any adverse effects of the subdivision on other areas of amenity, ecological or cultural significance (e.g. trees, groups of trees, notable and protected trees, sites, vegetation and habitats) are avoided, remedied or mitigated;
 - k. The subdivision does not create significant adverse effects on the characteristics and values of regionally Outstanding Natural Features and Landscapes, as defined on Map 9.1 The Tararua Ranges Landscape Protection Area;
 - l. Any significant adverse effects of the subdivision on the landscape character of the area, and in particular hilltops and ridges, knolls, rock outcrops and special landform features; watercourses, wetlands and native vegetation are avoided, remedied or mitigated;
 - m. The subdivision preserves rural character and amenity, and in particular maintains the openness of the rural landscape and visual amenity through the sensitive placement of building sites within the topography, landscaping and planting;
 - n. Actual and potential reverse sensitivity effects in relation to existing land use activities, including infrastructure and physical resources of regional or national importance, and network utilities, existing or consented Wind Farms, activities allowed by zoning, or areas anticipated for urban growth, are avoided or can be adequately mitigated.

Explanation

Past District Plans and District Schemes have made provision for rural-residential subdivision in areas predominantly south of the Manawatu River. This policy continues that provision and identifies the matters that may give rise to adverse effects, if there were no controls.

Rural residential areas differ from other types of residential environments provided within Palmerston North. Characteristically these areas have larger-sized lots and no reticulated network services, such as water, wastewater and stormwater infrastructure. In these areas, the provision of water and wastewater services is the responsibility of the property owner. A Consent Notice or Advice Note will be registered on the certificate of title to inform future purchasers of the requirements of the Manawatu-Wanganui Regional Council to regularly maintain wastewater disposal systems and to keep maintenance records.

Three distinct areas are provided for rural residential living: the Aokautere Rural Residential Area, the Moonshine Valley Rural Residential Area and the Rural Residential Overlay Area. These areas are illustrated on the Planning Maps and have specific subdivision provisions, reflecting the natural and physical character of the environment, structuring elements and development patterns, and land development issues. The Aokautere and Moonshine Valley Rural Residential Areas are defined settlement areas, while the Rural Residential Overlay covers parts of the Rural Zone, having less versatile soils and access to roads with good geometry and sufficient design capacity, to accommodate the expected development yield.

Rural residential subdivision and subsequent development has the potential to generate reverse sensitivity effects for existing agricultural activities. Reverse sensitivity effects occur when there are incompatible activities in close proximity, and one has the potential to unduly affect the operation of another. Reverse sensitivity effects are recognised in the Plan in relation to the Palmerston North Airport, consented renewable electricity generation activities (Wind Farms), the state highway network and noise sensitive activities, like residential dwellings and schools. The proliferation of rural

residential activities in and adjacent to areas of the City that may be needed for future urban growth, including industrial growth, may also result in reverse sensitivity issues and needs careful management at the time of subdivision consent, to avoid or mitigate adverse effects.

A number of rural roads are identified as Restricted Access Roads in the District Plan (see 20.6.1.6 and Figure 20A.5). The standard of land transport and operating characteristics of these roads pose a particular constraint, in terms of further development. The access performance standards in Section 20 enable Council to consider at the time of subdivision consent, the access arrangements, the effects of additional vehicle movements created by the subdivision, and whether the proposed activities are appropriate for the environment, in terms of traffic safety and/or efficiency. Where demands are created for road improvements/or road upgrades to service the subdivision, the Council will consider whether such expenditure aligns with Council's infrastructure investment plans, sustainability and transport goals, in determining whether or not the consent will be granted. Other roads are classified as Restricted Access Roads because of their potential future function as strategic arterial roads. These roads require access management controls and corridor protection measures in order to protect their intended future function in the road hierarchy and to comply with the Regional Land Transport Strategy.

Rural residential subdivision and land development can exacerbate flood hazard risk if not appropriately managed with subdivision conditions imposed at the subdivision consent stage. This policy seeks to avoid or mitigate the effects of flooding and stormwater flows at times of high rainfall, on people, property, infrastructure and the environment.

Subdivision for rural lifestyle lots can result in adverse visual or landscape effects, including land use changes and altered land form patterns. A Landscape Protection Area has been identified to protect the regionally significant outstanding natural feature and landscape of the Tararua Ranges, and encompasses the pattern of highest ridges and hilltops, which characterise a skyline landscape. (Refer Map 9.1: Tararua Landscape Protection Area). Subdivision within the Tararua Ranges Landscape Protection Area needs to be appropriately managed to ensure the essential values and characteristics of this natural feature and landscape and the visual integrity and coherence of the skyline landform, is protected.

3.6 To avoid subdivision within the moonshine valley rural residential area into allotments less than 1.5 hectares in area.

Explanation

The Moonshine Valley Rural Residential Area has been identified as a special character area.

Moonshine Valley is a distinctive, relatively incised and contained valley landscape, comprising a broad valley floor, sloping sides with contour level changes and reserve corridors. It has important natural character and landscape values and significant ecology and biodiversity. These values and characteristics of Moonshine Valley are documented in the report Moonshine Valley Visual Landscape Assessment (Palmerston North City Council 2011) and the Palmerston North Landscape Inventory (Palmerston North City Council 2011).

The essential contributing factors to the area's special character are its relatively uniform subdivisional arrangement (multiple parcels of a similar 1.5 ha size) and its natural streetscape character, which creates a unique and distinct sense of place. The low-density development pattern and the natural character of Moonshine Valley Road environs especially, contributes to the high visual amenity of Moonshine Valley, overall.

To ensure that these important and defining characteristics are retained and subsequent development does not create adverse effects on the special character and identity of Moonshine Valley, subdivision within the Moonshine Valley Rural Residential Area, not complying with the specified minimum lot area, will be consented as a Non-Complying Activity.

3.7 To enable subdivision within the Aokautere Rural-Residential Overlay area identified on the Aokautere Structure Plan where it is demonstrated that:

- a. The fixed Structure Plan elements (which are identified on Maps 7A.4, 7A.4A, 7A.4B, 7A.4C and 7A.4D) are included in the manner shown on the Aokautere Structure Plan. Fixed Structure Plan elements must be⁴ It is in general accordance with the Aokautere Structure Plan;
- b. The subdivision layout and design provides for the Aokautere Structure Plan elements that are not fixed. The elements must be provided in a manner that is consistent with the

⁴ \$50.025, \$51.008, \$58.057

Aokautere Structure Plan but their location, extent and design may vary from that shown on the Structure Plan, provided the development outcomes in the objectives and policies in Sections 7, 7A, 10, 11.10 and 15.5 are met⁵.

- c. The ~~reading network~~ street hierarchy, street types and street cross sections, ~~and upgrades~~ identified on the Aokautere Structure Plan (Map 7A.4D and 7A.4D1-14) ~~is~~ are provided for:
 - a. There is connectivity with existing and future developments;
 - b. The transport network upgrades ~~identified in Tables 7A.1 and 7A.2~~⁶, including those outside of the Aokautere Structure Plan area, that are necessary to provide for a safe and efficient transport network have been completed and are operational ~~unless it can be demonstrated that there is sufficient existing capacity in the transport network to accommodate the predicted traffic volumes~~⁷. ~~Subdivision and development will not occur in advance of the availability of operational transport infrastructure;~~
 - c. It incorporates the following design principles:
 - ~~lots are rectangular or simple shapes;~~
 - ~~a continuously built-up skyline is avoided;~~
 - ~~development positively fronts or connects to the gully network;~~
 - d. It maintains, and where possible enhances, existing amenity values.
 - e. It ~~assists in achieving~~ ~~satisfies~~ Objective 6 and related policies in Section 7A Greenfield Residential Areas and protects the gully system and ~~indigenous biodiversity significant natural areas~~ and wetlands in Aokautere⁸;
 - f. It provides a safe and legible internal transport network ~~read hierarchy~~ that achieves a highly connected street layout which integrates with the surrounding transport network and provides pedestrian access, cycleways and recreational trails which link to open space corridors;
 - g. ~~There is appropriate Stormwater management infrastructure is in place available to service the development including on-site wastewater and stormwater management to avoid adverse effects on the receiving environment~~⁹; ~~servicing, which ensures there is no increase in effects on surrounding areas;~~¹⁰
 - h. Earthworks ~~and development~~¹¹ avoid adverse effects on the gully network;
 - i. ~~The risk of liquefaction and lateral spread is adequately mitigated, prior to subdivision through site specific geotechnical investigations with suitable foundation design and/or ground improvement options implemented before development;~~¹²
 - j. Subdivision ~~and development~~ is managed so that development of resulting lots will ~~to avoid new or exacerbated existing natural hazards, or an increase in exposure to natural hazards by:~~
 - ~~Investigating the risk of liquefaction, lateral spread, and slope instability through site specific geotechnical investigations prior to subdivision;~~

⁵ S50.025, S51.008, S58.057

⁶ S63.04

⁷ S63.04

⁸ S77.005, S77.006

⁹ S77.008

¹⁰ S50.025

¹¹ S39.005-8

¹² S50.025

- taking into consideration future stream erosion and downcutting¹³:
- an accredited Chartered Professional Engineer experienced in soil mechanics or geotechnical matters preparing a report before subdivision to confirm that the land is suitable for development and that there are technically appropriate building platforms;
- identifying and implementing ground improvement and slope stabilisation works that are required to avoid or mitigate the risk of liquefaction, lateral spread or slope instability;
- undertaking earthworks and recontouring of land is being undertaken in accordance with a design plan by an accredited Chartered Professional Engineer experienced in soil mechanics or geotechnical matters,
- imposing consent notices on titles outlining the measures required to implement recommendations from any technical reports to address land instability, risk of liquefaction or lateral spread and/or to address any other natural hazards (including suitable foundation design requirements, earthworks and setbacks from areas of geotechnical risk).
- with the design providing for predicted improvements to soil slope and stability through the development and the impact on existing vegetation and landscape values;

k. Consent notices are imposed on titles outlining the measures required to implement recommendations from any technical reports to achieve land stability (including earthworks and setbacks from areas of geotechnical risk) and/or address natural hazards in advance of development.¹⁴

3.8 Avoid subdivision within the Gun Club High Noise Area which creates lots for the development of noise sensitive activities that will receive noise levels of 55 dB L_{AFmax} or higher from activities at the Manawātū Rifle Rod and Gun Club¹⁵.

3.9 3.8 Where subdivision is granted wWithin:

- a. The Gun Club Noise Mitigation Area identified on the Aokautere Structure Plan (Map 7A.4B), or
- b. The Gun Club High Noise Area where measured noise levels within individual lots are below 55 dB L_{AFmax},

conditions shall be placed on subdivision consents (and recorded on titles via consent notices) that require:

- i. new or relocated dwellings to be designed and orientated so that indoor and outdoor living areas face north, to provide acoustic protection from noise associated with activities at the Manawātū Rifle Rod and Gun Club; and
- ii. the presence of the Manawatu Rifle Rod and Gun Club be recorded and advice that the lot may be exposed to occasional loud noise from gun club activities¹⁶.

¹³ S39.008

¹⁴ S51.012

¹⁵ S76.001

¹⁶ S76.001

~~3.9 Avoid subdivision and development of noise sensitive activities within the 55 dB L_AF_{max} contour area identified on the Aokautere Structure Plan Map 7A.4B, such that the noise level generated by activities at the Manawatu Rifle Road and Gun Club, within each proposed lot, is no higher than 55 dB L_AF_{max}, in which case Policy 3.8 will apply¹⁷.~~

OBJECTIVE 4

To ensure that the subdivision process secures the provision of esplanade reserves and esplanade strips in appropriate areas.

POLICIES

- 4.1 To require 20 metre wide esplanade reserves along rivers whose beds have an average width of three metres or more in respect of new allotments under 4 hectares, subject to 4.3 below.
- 4.2 To require 20 metre wide esplanade reserves along the following rivers and streams in respect of new allotments of 4 hectares or more, subject to 4.3 below:
 - Manawatu River
 - Pohangina River
 - Turitea Stream (from the Manawatu River to the City's water supply area)
 - Mangaone Stream
 - Kahuterawa Stream (from the Manawatu River to a point opposite the present end of the formation of the Kahuterawa Road).
- 4.3 To enable waivers and reductions in width of esplanade reserves and the use of esplanade strips in place of esplanade reserves when land is subdivided, provided that:
 1. The purpose of esplanade reserves and esplanade strips specified in Section 229 of the Act is achieved;
 2. It is not appropriate to set aside or create an esplanade reserve or esplanade strip of the specified width by reason of particular circumstances, including the following (but not by way of limitation)
 - security of plant, machinery, stock or other property
 - public safety
 - farm management
 - hardship
 - subdivisions where no additional allotments are created, and subdivisions where allotments less than 4 hectares are to be held together with other land and the resultant area exceeds 4 hectares.
 3. The following matters are recognised and provided for:
 - i. ecological values, including riparian vegetation, water quality, potential for erosion and the impact of flooding and the enhancement of aquatic and terrestrial habitat; and
 - ii. social values, including values for public access to and along rivers and lakes, and the need for public access to and along water bodies; and

¹⁷ S76.001

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- iii. enhancement of landscape, recreational and/or wilderness experiences; and
- iv. the protection of archaeological and registered historic sites, wahi tapu, provision of access to areas of importance to Tangata Whenua; and
- v. the value for education and interpretation with regard to the functioning of natural ecosystems; and
- vi. the reduction of downstream risks and costs to landowners and communities; and
- vii. the benefits and costs of provision and maintenance of esplanade reserves and esplanade strips, including the costs of compensation for any increased width of reserve.

- 4.4 To encourage subdividers to plan esplanade reserves and/or esplanade strips as an integral part of the subdivision of land fronting to or containing significant rivers.

Explanation

These policies adopt the statutory requirement for the provision of esplanade reserves along rivers in respect of allotments under four hectares in area but requires esplanade reserves to be provided (as permitted by the Resource Management Act) along major rivers where allotments are four hectares or more in area. In both cases the policies recognise that there will be a need for flexibility and it therefore sets out the circumstances and matters to be considered when subdividers seek to depart from the standards established in the policies.

OBJECTIVE 5

To ensure that the layout of subdivision and associated infrastructure for the North East Industrial Zone is of a high quality and provides a suitable framework for the achievement of the Objectives for the Zone as a whole.

POLICIES

- 5.1 To take into account the need for the area to develop as an integrated and efficient industrial area, and to have regard to the layout shown in the Structure Plan for the Zone in Map 7.2.
- 5.2 To assess subdivision proposals in terms of consistency with the Design Guide for the existing North East Industrial Zone.
- 5.3 To evaluate framework landscape provisions for the area at the time of subdivision, and to attach conditions to subdivision consents relating to planting and landscape requirements for the area being subdivided.
- 5.4 To ensure that subdivision proceeds in a manner that provides for a logical, planned and integrated extension of the urban boundary within the North East Industrial Zone Extension Area.
- 5.5 To require all subdivisions in the North East Industrial Zone Extension Area to comply with Structure Plan Map 7.2 and ensure that:
 - identified infrastructure corridors, an integrated roading network, and planted buffer areas are provided and that their future function is not compromised.
 - the area develops in an integrated, efficient and connected way and occurs in a manner integrated with existing North East Industrial Zone subdivision and development.
- 5.6 To require a Comprehensive Development Plan for each stage of subdivision in the North East Industrial Zone Extension Area that addresses and ensures that design, layout and servicing is in accordance with the North East Industrial Zone Structure Plan (Map 7.2) and does not restrict future development opportunities within the Area.
- 5.7 To ensure that infrastructure and services to the North East Industrial Zone Extension Area are provided in a way that enables or facilitates future development opportunities and capacity requirements in the Area.
- 5.8 To have stormwater management measures in place in advance of industrial development within the North East Industrial Zone Extension Area.
- 5.9 To demonstrate that an integrated approach to the provision of stormwater management that recognises the capacity of existing systems and natural drainage patterns within the North East Industrial Zone Extension Area.
- 5.10 To require the use of sustainable urban drainage systems and low impact design systems throughout the North East Industrial Zone Extension Area.
- 5.11 To ensure stormwater management contributes to the visual amenity of the development within the North East Industrial Zone Extension Area.

Explanation

The North East Industrial Zone area provides an opportunity to create an attractive and integrated industrial park. In addition to the other objectives and policies in the subdivision section which apply to all areas of the City, the objective and policies for the North East Industrial Zone require additional consideration of access, general area layout, large-scale landscape works and open-space provision including open space for stormwater management.

This section of the Plan includes a Structure Plan for the Zone as Map 7.2. There is also a Design Guide which has been developed for the existing North East Industrial Zone. The Structure Plan communicates Council's expectations for the area and provides clear direction regarding the expected layout and character for the area and reasons for significant departures from them will need to be explained by applicants, prior to evaluation of applications.

Broad planting and landscape conditions are applied for this area at the time of subdivision, as appropriate provisions may not be able to be put in place under the requirements for permitted activities at a later date. Mechanisms to ensure that these conditions remain in place in the long term will be required as part of the consent.

Where an area within the North East Industrial Zone Extension Area is to be subdivided or is to be used for industrial purposes and adjoins an area still occupied by a dwelling established at the time that these provisions were notified, a planted setback is required along the boundary. Planting of the necessary road setback will be required at the time that the use of those lots change to industrial use.

OBJECTIVE 6

To enable the development of small and medium sized industrial activities within the Midhurst Street Industrial Area (which is a greenfields development) in a coordinated and integrated fashion and to ensure that appropriate access and services are in place at the earliest stage of development and ensuring that adverse effects on other activities in the vicinity are avoided, remedied or mitigated.

POLICIES

- 6.1 To enable the establishment of industries requiring small and medium sized lots within the Midhurst Street Industrial Area.
- 6.2 To ensure that development is undertaken in an integrated manner and in accordance with the Midhurst Street Industrial Area Structure Plan (Map 7.4 in this section). A piecemeal approach to subdivision is not appropriate but staged development is acceptable.
- 6.3 To ensure that any potential adverse effects on the operation of Palmerston North Airport are avoided, remedied or mitigated.
- 6.4 To ensure as a matter of priority that at the time of subdivision of land in the Midhurst Street Industrial Area (particularly the first subdivision) that the applicant provides works and services that enable the effective collection and disposal of stormwater likely to be generated from the entire Midhurst Street Industrial Area when developed.
- 6.5 To ensure as a matter of priority that at the time of subdivision of land in the Midhurst Street Industrial Area (particularly the first subdivision) works and services are carried out so that an intersection is formed at the point of access with Kelvin Grove Road and any associated improvements to Kelvin Grove Road in the vicinity are made so that the efficiency and safety of the land transport network is not adversely affected by development of the entire Midhurst Street Industrial Area.

Explanation

The Midhurst Street Industrial Area will provide land for short term growth of small and medium sized industrial activities complimenting the North East Industrial Zone. It is important that the site is developed in a coordinated manner generally in accordance with the Structure Plan. It is also important that potential conflicts with safety issues at Palmerston North Airport are addressed.

OBJECTIVE 7

To ensure that development of the Napier Road Residential Area and Napier Road Residential Extension Area proceeds in a manner that:

- **provides for and protects sustainable and efficient land transport connectivity and integrated development**
- **is sensitively designed to enable a safe and appropriate interface with the adjoining conservation and amenity zone and state highway network**
- **avoids or mitigates the adverse effects of flooding and stormwater, including managing the effects of the associated flood hazard avoidance or mitigation measures**
- **minimises any adverse landscape effects on the surrounding rural environment and landscape features of the site**
- **enhances and restores the natural features of the site, with sensitive integration of stormwater design and the ecological functioning of the oxbow wetland**
- **provides for an integrated extension of the urban boundary and contributes towards the City's short term residential growth**
- **facilitates pedestrian and cycle connections between the oxbow lagoon, Napier Road Residential Extension Area and the wider City pathway network**
- **carries out stormwater management in an integrated manner that incorporates water sensitive design principles and practices in the Napier Road Residential Extension Area.**

POLICIES

- 7.1 To prevent subdivision within the Napier Road Residential Area until a road is constructed and vested with Council that links the site to James Line.
- 7.2 To ensure that development is undertaken in an integrated manner and generally in accordance with the Napier Road Residential Area Structure Plan (Refer Map 7.5) and the Napier Road Residential Extension Area Structure Plan (Refer Map 7.9).
- 7.3 To ensure that all necessary stormwater and flooding infrastructure, and earthworks required to maintain flood mitigation, are in place and approved to engineering standard as a matter of priority at the time of subdivision, with ongoing controls in place to ensure the integrity of flood risk measures and stormwater mitigation, particularly on adjoining landowners.
- 7.4 To protect the landscape and ecological values of the Oxbow Wetland and Escarpment while providing for sensitively designed stormwater disposal for the area and passive recreational use.
- 7.5 To require a Comprehensive Reserve Development Plan to be lodged at the time of subdivision within the Napier Road Residential Area for the oxbow wetland and escarpment areas as defined on the Structure Plan Map 7.5 for the site.
- 7.6 To require a Comprehensive Landscape and Engineering Plan for the noise bund within the Napier Road Residential Area to be lodged at the time of subdivision.
- 7.7 To ensure that the water supply for the residential development has sufficient capacity and pressure to meet the needs of all development including Fire and Emergency

New Zealand requirements.

- 7.8 To require the use of Water Sensitive Stormwater Design within the Napier Road Residential Extension Area whereby all lots and road design incorporates pervious surfaces, rain gardens or other biofiltration devices to manage and treat stormwater prior to discharge to the primary network and/or direct discharge to the oxbow.
- 7.9 To require a comprehensive Stormwater Management Plan to be lodged at the time of subdivision within the Napier Road Residential Extension Area that outlines how a reduction in stormwater runoff and peak flow discharges is achieved.
- 7.10 To manage development by requiring additional geotechnical investigations prior to the future use of the land within the Napier Road Residential Extension Area.
- 7.11 To impose consent notices on titles outlining measures required to implement recommendations from any technical reports to achieve land stability and water sensitive stormwater designs within the Napier Road Residential Extension Area.
- 7.12 To require development within the Napier Road Residential Extension Area to incorporate and provide integrated stormwater management systems, providing high quality stormwater discharge into the oxbow.
- 7.13 To enable larger lot development within the parent lot Pt Lot 1 DP 25691 where;
 - a. Stormwater is managed onsite as outlined in a Stormwater Management Plan provided as part of the subdivision application,
 - b. Connectivity is maintained as envisaged by the Structure Plan; and
 - c. Urban Design outcomes for the development do not detract from the area as a gateway to the city.

Explanation

The Napier Road Residential Area (NRRA) will provide land for short term residential greenfield growth. Challenges for developing the site include ensuring an attractive interface to SH 3 and entrance to the east of the City, ensuring sustainable, efficient and safe land transport connections, ensuring that appropriate controls are in place to manage flooding and stormwater effects, and providing for the ongoing restoration and ecological enhancement of the oxbow and escarpment features of the site, while providing for passive recreational access. The NRRA also provides an opportunity for a unique residential development, with sensitive integration and management of the landscape and ecological features of the site, the oxbow wetland and escarpment. The structure plan for the site sets out the urban design and general layout outcomes for the site.

OBJECTIVE 8

Residential and industrial growth, including rural subdivision of a residential nature, occurs in a planned and coordinated manner which avoids the fragmentation of rural land and loss of rural character.

POLICIES

- 8.1 To enable residential and industrial subdivision in planned growth areas.
- 8.2 To avoid subdivision of a residential nature in rural areas.
- 8.3 To avoid fragmented or inappropriate patterns of subdivision and development that compromises the use of that land for rural purposes.
- 8.4 To avoid the fragmentation of rural land that has been identified in Council strategies as potentially suitable for future residential or industrial growth.

OBJECTIVE 9

To avoid subdivision within the Braeburn Industrial Area to ensure land and any on- site self-services infrastructure remains in single ownership and does not provide for the wider industrial land demand of the City.

POLICIES

- 9.1 To avoid the subdivision of land that is inconsistent with the objectives and policies of the Braeburn Industrial Area contained in the Industrial Zone section of the Plan.
- 9.2 To avoid any subdivision of land that will facilitate multiple ownership and or use of any self-serviced on-site infrastructure.
- 9.3 To avoid any subdivision of land that will enable the Braeburn Industrial Area to meet the wider industrial land demands of the City.
- 9.4 To avoid any subdivision of land that will compromise the opportunity for the Braeburn Industrial Area to easily transition to multiple ownership in the future.

Explanation

The Braeburn Industrial Area provides additional land for the future expansion of Fonterra Co-Operative Group's (Fonterra) operations at Longburn. The purpose of the Braeburn Industrial Area is to primarily provide for dairy related industrial activities to support the on-going operational and growth needs of Fonterra at Longburn. The Braeburn Industrial Area planning framework provides for a narrow range of dairy related industrial activities that recognise the specific needs of Fonterra while ensuring the Area is not used to meet the wider industrial land and development needs of the City.

The intent of the objective is to ensure the land remains in single ownership and does not provide for the industrial land demand of the wider City. Fonterra provides its own on-site services independent of the Council's reticulated network. Considering the established nature of the existing activity; the scale of existing and planned dairy related industrial activity; and the specific infrastructure needs of the activity on-site servicing is appropriate in this circumstance.

With respect to water, wastewater and stormwater, the Braeburn Industrial Area is likely to be self-serviced and not connected to the Council's reticulated network (essential services) based on current planning horizons and Council's current Long Term Plan. The Council is comfortable with on- site servicing of the Braeburn Industrial Area while those services are under the control of one owner and use of the site is for a narrow range of industrial activities. However, urban expansion meeting industrial land demand for the wider City that involves a range of industrial activities and owners is best facilitated through reticulated services that are vested in Council. This is the only tenable long term solution for significant urban expansion that involves multiple land owners and a wide range of industrial activities.

OBJECTIVE 10

To ensure that subdivision and development in the Hokowhitu Lagoon Residential Area:

- **is guided by a Structure Plan;**
- **Occurs in a co-ordinated and integrated manner;**
- **Adequately mitigates the risks of stormwater ponding and liquefaction;**
- **Is sensitively designed to enable a safe, visually attractive and compatible interface with the adjoining Manawatu Golf Club which:**
 - **Minimising reverse-sensitivity effects for sensitive activities by requiring larger lots adjoining the Manawatu Golf Club boundary;**
 - **Minimises risk to the safety of people and property from stray golf balls;**
 - **Raises awareness and understanding of the effects arising from**

- **activities at the Manawatu Golf Club; and**
 - **Maintains or enhances the amenity and landscape qualities along the Manawatu Golf Club boundary, including the park-like character and how existing vegetation screening can be maintained to prevent overlooking by residential development.**
 - **Retains significant existing vegetation, except where retention poses a material risk to safety of people or property;**
 - **Responds positively to and minimises adverse effects on identified wahi tapu sites;**
 - **Provides a linkage between Hokowhitu Lagoon and the Manawatu River;**
 - **Facilitates pedestrian and cycle connection between the Hokowhitu Lagoon Residential Area and the Hokowhitu Lagoon Reserve;**
 - **Ensures any significant areas such as the Kanuka Grove, Ruahine Reserve and River Reserve Connection, within the Hokowhitu Lagoon Residential Area are protected and safe public access to those areas are facilitated;**
 - **Creates a high quality and diverse living environment;**
 - **Provides for safe transportation along Centennial Drive for pedestrians, cyclists and vehicles;**
 - **Creates a high amenity interface between the Hokowhitu Lagoon Reserve and the Hokowhitu Lagoon Residential Area;**
 - **Incorporates Water Sensitive Design principles and practices; and**
 - **Carries out stormwater management in an integrated manner.**
-

POLICIES

- 10.1. To provide a Structure Plan that identifies:
- Transportation connections;
 - Reserves and other open spaces;
 - Significant vegetation; and
 - The Manawatu Golf Club boundary and potential risk areas associated with stray golf balls.
- 10.2 To require subdivision layout and design to be carried out in accordance with the Structure Plan
- 10.3 To impose consent notices on all allotments along the Manawatu Golf Club boundary to identify potential effects arising from activities undertaken at the Manawatu Golf Club, for the purposes of minimizing the potential of reverse-sensitivity.
- 10.4 To have stormwater management measures in place in advance of residential development.
- 10.5 To apply Water Sensitive Design wherever appropriate, especially within public spaces, such as roads and reserves.
- 10.6 To ensure stormwater management contributes to the recreational and visual amenity of the development.
- 10.7 To control the subdivision of land that is affected by natural hazards and to ensure that any necessary mitigation measures are in place prior to development.
- 10.8 To improve land utilization to safeguard people, property and the environment from the adverse effects of development by ensuring that:

- Disturbance to the natural land form, existing vegetation and habitats, natural drainage and significant natural features is minimised.
- Each lot is designed in a manner that ensures:
 - (i) technically appropriate building platforms exist
 - (ii) foundations are designed and implemented to mitigate risk associated with subsurface conditions
 - (iii) sites are identified where roading and access is suitable for its intended use/activities
- Earthworks are to be designed and constructed to:
 - (i) provide safe and adequate building platforms and foundation for roads and services.
 - (ii) provide for the adequate control of stormwater.
 - (iii) remain safe and stable for the duration of the intended land use.
 - (iv) not necessarily rely on artificial or human built structures for stability; and where such structures are employed these shall remain safe and stable for the duration of the intended land use.
 - (v) avoid contamination of groundwater and surface water, and
 - (vi) avoid or mitigate the diversion of ground water flows.
- Earthworks and the re-contouring of land are to be the subject of specific design by a chartered professional engineer experienced in soil mechanics or geotechnical matters and shall take into account the predicted improvements to soil slope and stability which will be achieved and the impact on existing vegetation and landscape values.

10.9 To require site specific geotechnical investigations prior to the future use of land to identify suitable foundation design and/or ground improvement options to mitigate against liquefaction and lateral spread risks.

10.10 To ensure subdivision and development meets the reasonable needs of future users while achieving the following design principles:

- Street design contributes to attractive and safe neighbourhoods;
- Housing diversity and variety is achieved;
- Visual dominance from multi-unit development on neighbouring development is avoided;
- Allotments are shaped and designed to enable dwellings with good solar access and sufficient outdoor amenity and sunny private outdoor space, while also recognizing the role vegetation plays in minimising risk to safety of people and property from stray golf balls and that vegetation on the Manawatu Golf Club may limit solar access;
- Convenient and safe access for residents is provided to nearby public open spaces, neighbourhood centre and public transportation routes;
- Building scale and form contributes to a distinctive sense of place that complements other subdivisions or developments within the site;
- Takes advantage of connections and significant views to the wider landscape;

- The natural characteristics and contours of the site are worked with;
 - Safe walking and cycling is facilitated;
 - Public open space design is site specific, responding to vegetation and cultural significance;
 - A high degree of connectivity within the local roading network is provided, and
 - Crime Prevention Through Environmental Design (CPTED) ensure all streets and public spaces are overlooked or visible from adjacent activities.
- 10.11 To enhance the amenities of the natural and built environment following earthworks by requiring that road berms, new allotments, and public open spaces are formed, landscaped and planted to a level commensurate with the intended use and consistent with delivering a coordinated and coherent streetscape.
- 10.12 To require a detailed landscape assessment to inform:
- The streetscape design and planting;
 - The size, shape, configuration and design of the proposed Kanuka Grove Reserve and the River Reserve Connection;
 - The extent of the proposed Ruahine Reserve and public connections to it;
 - Integration with the surrounding environment and Hokowhitu Lagoon;
 - The use of new and retention of existing vegetation on its site for the purposes of maintaining the park like character of the Manawatu Golf Club and protection of people and property from stray golf balls;
 - How water sensitive design principles can be incorporated into streetscape and reserve design;
 - The design and planting for the linkage between the Hokowhitu Lagoon and Manawatu River; and
 - How the amenity values of Centennial Drive can be maintained and/or enhanced.
- 10.13 To avoid adverse effects of development on sites of existing vegetation with significant amenity, heritage, cultural, and/or ecological value.
- 10.14 To require the proposed Kanuka Grove, River Reserve and Connection, and the Ruahine Reserve, as identified as 'B', 'C' and 'K' in the Hokowhitu Lagoon Residential Area Structure Plan, to be vested in Council as an outcome of subdivision.
- 10.15 To provide footpaths along the Centennial Drive interface of the Hokowhitu Lagoon Residential Area.
- 10.16 To restrict vehicle access to allotments adjoining Centennial Drive.
- 10.17 To protect the Manawatu Cancer Society's memorial kauri tree by subdivision consent conditions.
- 10.18 To provide pedestrian and cycle connectivity between the Hokowhitu Lagoon Residential Area and the River Reserve Connection with the Hokowhitu Lagoon Reserve.
- 10.19 To require minimum lot sizes along the Manawatu Golf Club boundary to control the density of subdivision and development to minimize reverse sensitivity effects and risk to safety of people and property from stray golf balls.

7.4 Methods

General

The principal methods used to implement the policies are District Plan Rules and hazard planning maps.

In some cases, reliance on the provisions of the statute itself will implement policies. For instance, Resource Management Act Section 106 in respect of refusal of consent or the imposition of conditions in respect of natural hazards and Section 220 in respect of the imposition of certain subdivision conditions.

The provision of a document "Engineering Standards For Subdivision" which illustrates good subdivisional engineering practice is also most useful in the control of subdivision. It provides sound technical standards which, where appropriate, can be incorporated by reference in conditions of consent.

Subdivision rules have been derived for each zone and consist mainly of Performance Standards and the categorisation of activities.

Objective 1 and Policies 1.1 - 1.8

The policies which have been derived from Objective 1 will be implemented by rules relating to subdivision standards and consent processes. These policies also provide a framework for assessing resource consent applications.

Objective 2 and Policies 2.1 - 2.12

Policies 2.1 to 2.12 which have been derived from Objective 2 deals with the physical development aspects of subdivision and will be implemented in part by rules relating to subdivision standards and in part by imposing conditions on resource consents.

The implementation of policies 2.1-2.10 will be assisted by the provision of the Palmerston North City Council Engineering Standards for Land Development. This document is not itself enforceable but sets out one means of compliance with Policies 2.1 to 2.10 and the Council will have regard to its contents when imposing conditions on subdivision consents.

The implementation of Policy 2.8 will be assisted by the provisions of the Fire and Emergency New Zealand Water Supplies Code of Practice SNZ PAS 4509:2008. This document is not itself enforceable but sets out one means of compliance with Policy 2.8 and the Council will have regard to its contents when imposing conditions on subdivision consents.

Objective 3 and Policies 3.1 - 3.6

This Objective and associated policies provide a framework for assessing resource consent applications for subdivision in rural areas and seek to ensure that the productive potential of the City's rural land and versatile soil resource is maintained and that rural residential developments are appropriately designed and serviced, to avoid, remedy or mitigate adverse effects on the environment and reverse sensitivity effects. The policies which have been derived from Objective 3 will be implemented by rules relating to subdivision standards and through consent processes.

The implementation of Policy 3.1 will be assisted by the provisions of the Fire and Emergency New Zealand Water Supplies Code of Practice SNZ PAS 4509:2008. This document is not itself enforceable but sets out one means of compliance with Policy 3.1 and the Council will have regard to its contents when imposing conditions on subdivision consents.

Policy 3.7 will be implemented at the time that rural-residential subdivision applications for land within the ~~Aokautere~~ Rural-Residential Overlay Area identified on the Aokautere Structure Plan¹⁸ are made. The Aokautere Master Plan is intended to inform application of the Aokautere Structure Plan to the subdivision applications by providing guidance on land development in the area. While the Masterplan has no statutory weight it can be taken into account by Council and other decision-makers when considering proposals under the District Plan and should inform applications within the Aokautere Structure Plan area.¹⁹

Objective 4 and Policies 4.1 - 4.4

Policies 4.1 - 4.3 will be implemented by rules setting standards for the provision of esplanade reserves in respect of Policies 4.1 - 4.3. Policy 4.4 will be implemented by providing information on esplanade reserves and esplanade strips.

Objective 5 and Policies 5.1 – 5.11

Policies 5.1 – 5.11 will be implemented at the time that subdivision applications for land within the North East Industrial Zone are made. Structure Plan Map 7.2 in the Plan and the Design Guide are relevant to the evaluation of applications. Note the Design Guide does not apply to the North East Industrial Zone Extension Area, but subdivision is required to give effect to Structure Plan 7.2 and associated cross sections and road layouts. The rules that apply to other areas generally also apply in this zone, but with the additional specification of a minimum lot size for controlled and restricted discretionary activity subdivisions and in relation to servicing and hazard management in the North East Industrial Zone Extension Area.

7.5 Principal Reasons

The principal reasons for adopting the objectives, policies and methods of implementation in respect of subdivision are:

1. Workable and constructive subdivision provisions which take into account the effects of subdivision but allow for growth and development as necessary to minimise compliance costs for both the Council and subdividers.
2. Under the Resource Management Act 1991, subdivision is permitted unless expressly restricted by rules in the District Plan or a national environment standard. Subdivision is an important instrument in resource management, but it can have adverse effects on the environment if not appropriately managed. The objectives and policies included in the Plan in respect of subdivision provide an essential resource management framework which enables subdivision, but at the same time ensures that the adverse environmental effect of subdivision are appropriately managed.

Plan users are advised to also refer to the rules and Notes to Plan Users in the All Zones section 7.16 of this Section of the Plan.

7.6 Residential Zone

7.6.1 RULES: CONTROLLED ACTIVITIES

R7.6.1.1 Controlled Activities

1. Any subdivision, except a subdivision provided for in R7.6.1.1(2) below, which complies with the Performance Standards below and which is not specified in R7.6.2.1 as a Restricted Discretionary Activity, R7.6.3.1 as a Discretionary Activity, or R7.6.4.1 as a

¹⁸ Clause 16 amendment

¹⁹ S50.025

Non-Complying Activity is a Controlled Activity. Council restricts its control to the consideration of the following matters:

- Those matters described in Sections 108 and 220 of the Resource Management Act 1991.
 - Subdivision design and layout; the size, shape and arrangement of lots, the location and design of access.
 - The layout and design of services and service connections to network infrastructure.
2. Any cross lease, company lease, boundary adjustment or unit title subdivision around existing buildings or buildings under construction which does not result in the creation of any new undeveloped separately disposable lot, cross lease, or company area or any unit, and which complies with the Performance Standards (e) and (f) below and which is not specified in R7.6.2.1 as a Restricted Discretionary Activity, R7.6.3.1 as a Discretionary Activity, or R7.6.4.1 as a Non-Complying Activity is a Controlled Activity. Council restricts its control to the consideration of the following matters:
- Those matters described in Sections 108 and 220 of the Resource Management Act 1991.
 - Subdivision design and layout; the size, shape and arrangement of cross lease and company lease areas, units and the location and design of access.
 - The layout and design of services and service connections to network infrastructure.

Performance Standards for Controlled Activities under R7.6.1.1

(a) Existing Buildings

Where any land proposed to be subdivided contains existing buildings there shall be no increase in the degree of non-conformity with any Permitted Activity standard for the Residential Zone.

(b) Lot Size

- i. In the Aokautere Development Area (refer Map 10.1), but excluding the Parklands Area,
 - each lot shall contain 400m² of contiguous developable land; and
 - the average area of lots available for residential purposes shall be at least 600m². In calculating the average lot area, no lots over 1000m² shall be included.
- ii. In the Aokautere Parklands Area each lot shall contain 1300m² of contiguous developable land.
- iii. In the Napier Road Extension Area, Ashhurst, Bunnythorpe and Longburn village residential areas – each lot must be at least 500m².
- iv. In the Palmerston North urban area – each lot must be at least 350m².

NOTE TO PLAN USERS

All subdivisions in the Petersons Road, Hewitts Road, and Aokautere Village residential areas identified on Map 7.1 default to R7.6.4.1.

(c) Shape Factor

For subdivisions in the Aokautere Development Area or Ashhurst, Bunnythorpe and

Longburn village residential areas, where the subdivision will result in more than six allotments intended for residential purposes, each allotment shall be able to contain a circle of 18 metres in diameter. In the Aokautere Development Area, the required circle shall be entirely comprised in Developable Land.

(d) Access

- i. Access to lots from a public road may be provided by way of either:
 - i. an access leg at least 3 metres wide forming part of the lot; or
 - ii. a shared access consisting of up to six strips lying adjacent to one another and giving access to no more than five other lots, and in respect of which reciprocal rights-of-way are granted or reserved; or
 - iii. an access lot or strip held in common ownership with the lot and up to five other lots; or
 - iv. any right-of-way running with and appurtenant to the land in which the lot is comprised.
- ii. No two or more access strips to lots may lie adjacent to one another unless easements are granted over each access strip in a manner which enables joint use of a single driveway, and a single point of access to a public road.
- iii. The width of shared access shall be as follows:

Number of Sites	Minimum Width of Access
2 – 3	3.5 metres
4 - 6	5.0 metres

- iv. Access shall comply with the access performance standards of R20.4.2(a) of the Land Transport Section.

(e) Essential Services

- i. All essential services must be available for connection within 30 metres of the nearest point of the land being subdivided.
- ii. All new lots must have sewer, stormwater and water supply services that are connected to essential services
- iii. All new essential services proposed in a subdivision must be located in public service corridors either where they are to vest in Council or service in excess of 6 lots.

Explanation

The intent of performance standard (ii) is to ensure that in extending new sewer, stormwater and water supply services to a new subdivision they must connect to essential services and must be located through a public service corridor, which will be vested in Council. Please refer to Diagram 7.3A and 7.3B for examples of how this will be applied.

Where a new essential service is not located in a public service corridor, Council is concerned about its ability in the future to maintain that service. At some stage the service (pipe) will need to be fixed or replaced. If the pipe, which is covered by an easement, runs through a number of private properties, access to the easement may be difficult and quite often private landowners will have constructed fences, gardens etc. over the easement thus impeding replacement of the pipe. Although an easement is in place on the title, landowners are seldom aware of the development restrictions related to such easements and these areas still get developed. Council has continual problems with structures, fences, gardens, driveways etc. over easements and when maintenance is required, the costs to Council and the landowners are increased.

Additionally, where services are to be connected into the City Council reticulated systems, it is necessary to ensure these connections are efficient and sustainable. This is influenced by how services are connected. The location of services is vital to the long term efficiency of the City infrastructure networks. The provision and location of essential services through a public corridor will ensure a well-managed network and will ensure logical and orderly development outcomes in urban areas avoiding premature development before the necessary infrastructure is in place to service it.

(f) Esplanade Reserves

In respect of lots less than 4 hectares in area, an esplanade reserve at least 20 metres wide shall be set aside from such lots along the bank of any river whose bed has an average width of 3 metres or more where the river flows through or adjoins the lot concerned.

(g) Pacific Drive Extension Area

All subdivisions in the Pacific Drive Extension area shown on Map 7.1B Pacific Drive Extension Area, with a lot size below 3000m² shall ensure that a water supply is able to be connected to, which at the time of subdivision is able to provide and maintain an adequate supply of potable water that:

- i. Makes provision for firefighting requirements for residential areas;
- ii. Accommodates the anticipated flows and demands on the supply; and withstand the anticipated pressure and loads.
- iii. Is able to service each lot to be created;
- iv. Is compatible with other utility systems;
- v. Avoids the likelihood of potable water contamination;
- vi. Permits appropriate access for firefighting;
- vii. Has a design life of at least 70 years;
- viii. Avoids the likelihood of leakage.²⁰

²⁰ Consequential amendment arising from S51.70

NOTE TO PLAN USERS

1. For any subdivision applications identified on Map 10.6.1.3 (Areas in which minimum floor levels apply) please refer to the Residential Section, R10.6.1.3 and associated Explanations. This rule relates to minimum floor levels in Amberley Avenue, Escort Grove, Rangitane Park and Racecourse Road Areas.
2. All subdivisions must comply with the National Environmental Standard for Assessing and Managing Contaminants in Soil.
3. Any subdivision and development that is located on any Site of Cultural Heritage Value, as listed in Section 17 of the District Plan, must also comply with R17.8.1.

(h) Street Trees

The layout of the subdivision and the location of any associated new or altered vehicle crossing does not require:

- (i) the removal of any tree planted on any public road, or
- (ii) modification, excavation or construction within the area directly beneath the dripline of the tree.

Explanation

Street Trees make a significant contribution to the quality of the public the space and character of the Residential Zone. Subdivision design that results in the removal of established Street Trees is discouraged. Council will consider applications in regard to the health and maturity of the tree, the provision of a replacement tree, and whether alternative site access arrangements are possible. As a Road Controlling Authority, the Council has the authority to refuse permission for the removal of a tree.

NOTE TO PLAN USERS

For any subdivision applications in areas identified as being within the National Grid Subdivision Corridor or within 100m of the Turitea (Linton) National Grid Substation and 25m of the Bunnythorpe National Grid Substation, as identified on the Planning Maps, that is not a subdivision for the purposes of accommodating a network utility, also refer to R7.16.2.2 and R7.16.2.3.

(i) Earthworks

- i. Any earthworks undertaken on the land being subdivided shall comply with R6.3.6.1 (b) for Permitted Activity standards.
- ii. Any subdivision within the Aokautere Development Area will be accompanied by and earthworks plan identifying any restructuring of land, earthworks or other works to create land with improved slope and soil stability necessary to enable the development of house sites, services and access ways.

7.6.2 RULES: RESTRICTED DISCRETIONARY ACTIVITIES

R7.6.2.1 Restricted Discretionary Activities

The following activities are Restricted Discretionary Activities provided they comply with the Performance standards below, except R7.6.2.1(1) which does not have to comply with Performance Standard (a) Essential Services:

1. A subdivision in the Aokautere Parklands Area which creates unserviced lots and where lots have a minimum area of 5000m² and contain at least 1300m² of contiguous developable land; and
2. A subdivision in the Aokautere Development Area which involves the restructuring of land through earthworks or other works to create land with improved slope and soil stability; and
3. Any cross lease, company lease, boundary adjustment or unit title subdivision that is not provided for by R7.6.1.1(2) as a Controlled Activity; and
4. Any subdivision which is not a Non-Complying Activity and which does not comply with the Controlled Activity Performance Standards (R7.6.1.1) for Existing Buildings, Minimum Lot Area, Shape Factor, Access, Street Trees, or Earthworks; shall be a Restricted Discretionary Activity:

Council shall restrict its discretion to consideration of the following matters:

- i. Subdivision design and layout; the size, shape and arrangement of lots, cross lease and company lease areas, units and access.

- ii. Effects on the surrounding residential environment and streetscape.
- iii. The location and design of access, connectivity, and the safe and efficient operation of the land transport network.
- iv. Natural Hazards
- v. Those matters described in Sections 108 and 220 of the Resource Management Act 1991.
- vi. In reference to earthworks, the potential effects on:
 - 1. Effects on landscape and visual impact
 - 2. Effects on adjoining properties including amenity values
 - 3. Impact on flood plains and flood flows
 - 4. Increase in hazard risk and effects on land stability
 - 5. Effects of erosion and sedimentation
 - 6. Effects on overland flow paths
 - 7. Effects on the National Grid
- vii. In reference to R7.6.2.1(2)
 - 1. Management of archaeological discoveries.
 - 2. Timing of any earthworks in the Aokautere Development Area in relation to any other works associated with the approved subdivision consent.
 - 3. To avoid, remedy or mitigate any adverse environmental effects arising from the proposed restructuring works.
 - 4. To ensure that the proposed restructuring works avoid, remedy or mitigate the land instability hazard.
 - 5. To ensure that any proposed restructuring work associated with the development of Lot 51 DP382375 occur at the same time or after river bank erosion protection works occur which protect the toe of the Anzac Cliffs from bank erosion.
 - 6. To ensure that any proposed restructuring work near the Te Motu a Poutoa Pa is undertaken in accordance with an Archeological Discovery Protocol developed in consultation with Tangata Whenua.

Explanation

While some of the land in Aokautere is naturally unstable, it is possible to undertake carefully designed earthworks to remodel land and to improve its stability. It is important however that such works are carried out with other subdivision works to ensure that they are undertaken with appropriate technical supervision.

In the Aokautere area there is a particular hazard which arises from the combined effects of slope instability and the erosive effects of the Manawatu River. This results in the cliff in the vicinity of Anzac Park (known as the Anzac Cliffs) being unable to reach a stable angle due to the removal of debris from its base by the river. Through a combination of river bank protection works to prevent further erosion of the base of the cliff and restructuring works on the cliff itself, it may be possible to modify this area to avoid or mitigate the natural hazard. Any application for resource consent to restructure land in this area to enable residential development must demonstrate that both the bank protection works and cliff restructuring works will result in the land instability hazard being avoided or mitigated.

This rule however does not refer to any earthworks or other works associated with building or development of an existing site. These works will be controlled under the provisions of the Building Act 1991 having regard to the definitions of "building work" and "sitework" contained in that Act,

and under the provisions of the Earthworks Section (Section 6) of this Plan.

A site of significant cultural heritage value to Tangata Whenua (Te-Motu-a-Poutoa) is located in Anzac Park at the top of the Anzac Cliffs. This was a site of significant tangata whenua activity and included a significant pa site. Due to the historical activity on this site and in the surrounding area, there is potential for archaeological material to be unearthed during land restructuring works in the vicinity of the Te-Motu-a-Poutoa. Applicants for resource consents to undertake land restructuring in this area need to take into account the potential for discovery of archaeological material that is of significance to Tangata Whenua and works need to be undertaken in accordance with an Archaeological Discovery Protocol developed in consultation with Tangata Whenua. Specifically, in relation to restructuring proposed to stabilise the Anzac Cliffs, an Archaeological Discovery Protocol titled Te-Motu-o-Poutoa (ANZAC Park) Protocol for the Accidental Discovery of Archaeological sites has been prepared and is held by Council for reference and use.

5. Any subdivision which is not a Non-Complying Activity and which does not comply with the Essential Services Performance Standard R7.6.1.2(e)(ii) is a Restricted Discretionary Activity. Council shall restrict its discretion to consideration of the following matters:
 - the ability for Council to maintain and access the pipe in the future
 - the cumulative effect of additional connections into the main trunk services
 - the integration of the services into the existing City network and its effect on efficient and orderly development within urban areas
 - Those matters described in Sections 108 and 220 of the Resource Management Act 1991.
6. Any subdivision which is not a Non-Complying Activity and which involves the construction of a road is a Restricted Discretionary Activity. Council shall restrict its discretion to consideration of the following matters:
 - Connectivity with the surrounding roading network
 - Safe and efficient operation of the roading network.
 - The location and design of access points
 - Integration of essential services
 - Natural Hazards
 - Those matters described in Sections 108 and 220 of the Resource Management Act 1991

Subdivisions listed in R7.6.2.1(1)-(6) are Restricted Discretionary Activities provided they comply with the Performance Standards in R7.6.2.1 with the exception that R7.6.2.1(1), Unserved Parkland Lots, does not have to comply with R6.7.2.1(a) (Essential Services) below.

In determining whether to grant consent and what conditions to impose, the Council will have regard to the City View objectives in Section 2, the Subdivision objectives and policies, and the following assessment criteria:

Assessment Criteria

- (a) The extent to which subdivision design and layout compliments the character and amenity values of the surrounding residential area.
- (b) To take into account the particular features of the site and its relationship to adjoining sites in assessing the appropriateness of the proposed design.
- (c) The degree to which any site area non-compliance results in a development density that, if not consistent with the surrounding residential environment, leads to a

perception of excessive density.

- (d) The extent to which any non-compliance leads to a better or more efficient use of the site and/or creates a higher level of on-site amenity.
- (e) The extent to which the layout takes into consideration the shape, orientation and aspect of sections, to create building sites and outdoor amenity areas which have a northward orientation and ability for passive solar gain,
- (f) The extent to which outdoor space is accessible and of a useable size with access to daylight and sunlight.
- (g) The extent to which lot layout will allow new buildings to retain reasonable visual privacy and daylighting from adjacent residential properties.
- (h) The extent to which the subdivision design and layout provides a safe living environment and whether the layout applies Crime Prevention through Environmental Design (CPTED) principles.
- (i) The extent to which all lots within the subdivision have safe and adequate vehicle access, taking into account the requirements of the access performance standards of R20.4.2(a) of Section 20 Land Transport.
- (j) The extent to which any natural hazards are avoided or mitigated.
- (k) The degree to which site design mitigates any likely increases in peak stormwater run-off and peak stormwater flow.
- (l) The consistency of the proposed layout with relevant subdivision engineering requirements.
- (m) The extent to which an acceptable street tree replacement can be provided in the context of the existing species, age, condition and spacing of other street trees within the street; or that an acceptable construction method can be agreed with the asset owner.

NOTES TO PLAN USERS

1. All subdivisions must comply with the National Environmental Standard for Assessing and Managing Contaminants in Soil.
2. Any subdivision and development that is located on any Object or Site of Cultural Heritage Value, as listed in Section 17 of the District Plan, must also comply with R7.8.1.
3. For any subdivision and development that is located near to the National Grid, as shown on the Planning Maps, also refer to Section 23 – Utilities.
4. It is advised that the applicant contact the appropriate power, telecommunications and gas companies to determine the feasibility of connecting to their services.

Performance Standards for Restricted Discretionary Activities under R7.6.2(1)-(6)

(a) Essential Services

All essential services must be available for connection within 30 metres of the nearest point of the land being subdivided.

(b) Esplanade Reserves

In respect of lots less than 4 hectares in area, an esplanade reserve at least 20 metres wide shall be set aside from such lots along the bank of any river whose bed has an average width of 3 metres or more where the river flows through or adjoins the lot concerned.

R7.6.2.2 Subdivision Within the Napier Road Residential Area and Napier Road Residential Extension Area

Subdivision within the Napier Road Residential Area or the Napier Road Residential Extension Area that is not specified in R7.6.3.1 or R7.6.4.1 and complies with the performance standards below is a Restricted Discretionary Activity.

Performance Standards for Activities under R7.6.2.2

(a) Controlled Activity Performance Standards

Compliance with R7.6.1.1 (a) – (e) and (h).

(b) Flood Protection

- i. For the Napier Road Residential Area, that each allotment created has a building site above the 0.2% AEP flood extent plus 500 millimetres freeboard and that a consent notice is imposed on titles for individual land owners. Access to occupied structures shall also be above the 0.2% AEP flood extent.
- ii. For the Napier Road Residential Extension, that each allotment created a building site 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 or downstream properties are impacted in a 1% AEP rainfall event.
 - d. Access to occupied structures shall also be above the 0.5% AEP flood extent

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. A consent notice is imposed on titles for individual landowners.

(c) Geotechnical Investigations

For the Napier Road Residential Extension Area, the requirement for a report from a Chartered Professional Geotechnical Engineer identifying;

- i. The potential liquefaction and lateral spread risks to the site and infrastructure that supports development. This report must also contain recommendations as to the location, design and construction of foundations and infrastructure that are appropriate to mitigate any characteristic of feature identified.
- ii. Suitable setbacks for buildings from the top or bottom of the existing escarpment.

A copy of any site investigations including bore logs and/or cone penetration test must accompany the report.

(d) Stormwater Management Plan

For the Napier Road Residential Extension Area, the requirement for a report from a Chartered Professional Stormwater Engineer identifying the potential stormwater risks to the site and infrastructure that supports development. This report must cover:

- i. A site specific hydrologic modelling assessment using updated oxbow bathymetry and footprint based on the proposed subdivision plan and include

assessment for different downstream discharge conditions.

- ii. 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.
- iii. Treatment of all stormwater runoff from the site prior to discharge to the primary network and/or direct discharge to the oxbow.
- iv. Protection of treatment devices and treatment runoff during all phases of construction.
- v. Outline how the development will hydraulically relate to its surrounding environs, including assessment of overland flow paths and potential flood impacts of proposed and existing development.
- vi. Outline how the stormwater management system will ensure that any changes in runoff from the site will be addressed.
- vii. Confirm the proposed stormwater mitigation will provide sufficient freeboard to the habitable dwellings under the scenario where there is no outflow from the oxbow 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 or downstream properties are impacted by a 1% AEP rainfall event.
- viii. Identify methods to avoid, remedy or mitigate potential stormwater related reverse-sensitivity effects on dwellings in existence as of 1 August 2019.

This report must also contain recommendations as to the location, design and construction of infrastructure that are appropriate to mitigate any characteristic of feature identified. A copy of any site calculations must accompany the report.

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

Notes:

In iii 'site' refers to the allotment(s) to be subdivided.

Council will collaborate with developers and landowners to identify appropriate stormwater management infrastructure once they have identified their development plans from concept design stage. Council will also collaborate with landowners during the consenting process(es) for discharging stormwater to the oxbow.

(e) Road Corridors

For the Napier Road Residential Extension Area:

- i. All road corridors vested in Council shall be designed to provide areas for pervious pavements and/or grassed/planted swales to reduce total runoff and peak flows.
- ii. Surface runoff from all road shall be treated prior to entering the piped

stormwater network/or direct discharge to the oxbow. This requires design and inclusion of swales, rain gardens, tree pit or other appropriate biofiltration devices.

NOTE TO PLAN USERS

The National Environmental Standard for Assessing and Managing Contaminants in Soils to Protect Human Health (2011) also applies to earthworks and a consent may be required under those provisions.

A road cross section has been included as Map 7.9a which depicts anticipated road development in the Napier Road Residential Extension Area.

The Council will reserve its discretion to the following matters:

- i. Those matters described in Sections 106, 108 and 220 of the Resource Management Act 1991.
- ii. The size, shape and arrangement of lots, cross lease and company lease areas, units and access.
- iii. Design of the noise mitigation within the Napier Road Residential Area.
- iv. The long term stability and Integrity of the mitigation method.
- v. Effects of flood avoidance or mitigation in terms of the ensuring satisfactory ground levels and stability of earthworks.
- vi. Effects of structures within the oxbow that exacerbate flooding and runoff to adjoining sites.
- vii. Reverse sensitivity effects.
- viii. The restoration and preservation of the Oxbow and Escarpment for its ecological values, as a recreational feature and as a stormwater conduit.
- ix. Lodgement of a Comprehensive Reserve Management Plan for the oxbow and escarpment for the Napier Road Residential Area.
- x. Lodgement of a Comprehensive Landscape and Engineering Plan for the noise bund for the Napier Road Residential Area.
- xi. Design and layout of the subdivision in general accordance with the Structure Plan for the Napier Road Residential Area (Refer Map 7.5.) and the Napier Road Residential Extension Area (Map 7.9).
- xii. Inclusion of stormwater treatment devices and management services.
- xiii. The provision of pedestrian access, including possible pedestrian access between the upper and lower terrace.
- xiv. Enhancement of the Napier Road entrance to the City.
- xv. How stormwater sensitive design principles and practices are integrated into subdivision design.
- xvi. The safe and efficient operation of the roading network.
- xvii. The extent to which increased stormwater flooding risks for events up to a 1% AEP are avoided.

Assessment Criteria

In considering an application and determining whether to grant consent and what conditions to impose, the Council will have regard to the following assessment criteria in assessing the matters for discretion:

- a. Restoration and preservation of the Oxbow and Escarpment, ecologically, as a recreational feature and as a stormwater conduit shall be addressed through the implementation of a Comprehensive Reserve Management Plan within the Napier Road Residential Area, which shall be prepared:
 - ii. by a suitably qualified landscape architect and drainage engineer in consultation with Council experts;
 - iii. to the satisfaction of the PNCC Parks and Property Manager and Water and Waste Manager.

And shall cover, but not be limited to:

- iv. Restoration and enhancement design ensures a natural look with long grasses, not mown on the embankment side, with a mown and managed look on the road reserve side.
 - v. Inclusion of stormwater treatment devices.
 - vi. Pedestrian access, including possible pedestrian access between the upper and lower terrace.
- b. Noise mitigation measures that are undertaken within the Napier Road Residential Area shall be addressed through the implementation of a Comprehensive Landscape and Engineering Plan, which shall be prepared:
 - i. by a suitably qualified landscape architect and acoustic engineer
 - ii. in consultation with the New Zealand Land Transport Agency
 - iii. to the satisfaction of the Principal Planner in consultation with Senior Landscape Architect.
 - c. For the Napier Road Residential Extension Area:
 - i. The degree to which issues of liquefaction and lateral spread have been assessed and proposed to be managed onsite to mitigate any adverse effects.
 - ii. The degree to which lots have been designed to maximise sunlight, open space, privacy whilst achieving a high quality urban environment.
 - iii. The extent to which the proposal is consistent with the Napier Road Residential Extension Area Structure Plan pedestrian opportunities and layout.
 - iv. The extent to which the amenity and ecological values of the oxbow lagoon are maintained and/or enhanced.
 - v. How the proposed subdivision, road layout and design enables connectivity with adjoining sites and areas.
 - vi. Whether the proposed subdivision ensures connectivity to property and roads that have been developed or have the potential to be developed in the future.
 - vii. The extent to which the proposal incorporates water sensitive stormwater design principles and achieves pervious surfaces.
 - viii. Whether the proposal incorporates stormwater management systems for any stormwater discharge to the oxbow secured by long term consent granted by Manawatu-Whanganui Regional Council, prior to vesting.
 - ix. Should an additional accessway be proposed onto Roberts Line opposite Freedom Drive, the extent to which a Transportation Impact Assessment has been provided that supports the safe and efficient operation of the roading network recognising existing constraints, topography, sight lines and queuing on

Roberts Line.

- x. The extent to which the proposal contains large lot sizes of 2000m² or more within parent lot PT Lot 1 DP25691 where integration and connection is maintained as demonstrated by the Structure Plan.

Non-Notification

- i. No application under R7.6.2.2 is required to be publicly notified

Non-Notification of Restricted Discretionary Activities

The following activities must not be publicly notified and there must be no limited notification:

- Subdivision applications made pursuant to R7.6.2.1, (except for restricted discretionary activities that do not comply with R7.6.1.1(d)(iii) – width of shared access, and R7.6.1.1(i) – earthworks):

Explanation

The exemption from the non-notification clause for restricted discretionary activities that do not comply with R7.6.1.1(d)(iii) and R7.6.1.1(i) enables the Council to have the discretion to seek the involvement of affected parties where subdivision proposals do not comply with the standards for the width of shared access arrangements, or earthworks provisions. Where circumstances warrant, the input of affected parties ensures that any adverse effects on the environment are appropriately avoided, remedied or mitigated.

R7.6.2.3 Subdivision in the Grand Oaks Drive Residential Area

Subdivision within the Grand Oaks Drive Residential Area (as shown in the Awapuni Racecourse Structure Plan in Map 15.1) shall be a Restricted Discretionary Activity with regard to:

- a. Effects on the surrounding residential environment and streetscape
- b. Effects on the operations of the Awapuni Racecourse
- c. Established and replacement trees
- d. Design and appearance
- e. Access and the safe and efficient operation of the roading network
- f. Natural hazards
- g. The Awapuni Racecourse Structure Plan
- h. Section 220 of the Resource Management Act 1991

Performance Standards for Activities under R7.6.2.3

(a) Minimum Lot Size

750m²

(b) Access

There shall be no vehicle access from Grand Oaks Drive to the Awapuni Racecourse

NOTE TO PLAN USERS

There shall be a consent notice to the effect of R7.6.2.3 performance standard (b) to be registered on the balance title of the land being subdivided.

Assessment Criteria

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 Subdivision objectives and policies, assess any application in terms of the following further assessment criteria:

- a. Effects on the Surrounding Residential Environment and Streetscape
 - i. The extent to which subdivision design and layout complements the character and amenity values of the surrounding environment and streetscape.
 - ii. The extent to which subdivision design and layout takes account of the particular features of the site and its relationship to adjoining sites.
- b. Effects on the operations of the Awapuni Racecourse
 - i. The extent to which adverse effects on the operations of the Awapuni Racecourse, including reverse sensitivity effects on the function centre, are avoided, remedied or mitigated.
- c. Established and Replacement Trees
 - i. The extent to which established trees are retained taking into account their age and health.
 - ii. To recognise the long term benefits of replacement trees of a size, species, and location that are complementary to the amenity values of Grand Oaks Drive
 - iii. To recognise the management benefits of replacement trees being located within a widened Grand Oaks Drive road reserve administered by the Council.
 - iv. To recognise the need for the removal of some established trees in order to provide for adequate residential solar access and functional residential sites.
- d. Design and Appearance
 - i. The extent to which consistent and appropriate fencing is established which recognises and responds to the dual frontages onto Grand Oaks Drive and the Awapuni Racecourse.
- e. Access and the safe and Efficient Operation of the Roding Network
 - i. The extent to which the subdivision recognises the requirement of Section 20 Land Transport.
 - ii. The extent to which the location of vehicle crossings contributes to the retention of established trees.
- f. Natural Hazards
 - i. The extent to which natural hazards are avoided or mitigated.
 - ii. The extent to which stormwater effects and the potential requirement for minimum floor level are assessed.
- g. The Awapuni Racecourse Structure Plan
 - i. The extent to which subdivision design and layout gives effect to the Awapuni Racecourse Structure Plan (Map 15.1)

Non Notification

No applications under R7.6.2.3 is required to be publicly notified.

Explanation

The Awapuni Racecourse is one of four nationally-strategic racecourses for the racing industry. The quality of surrounding development should therefore consider the function of the Racecourse and the vision for its future. Development within the Grand Oaks Drive Residential Area should respond to

the quality of the streetscape and residential character around Grand Oaks Drive, particularly in relation to established mature trees.

R7.6.2.4 Subdivision in the Hokowhitu Lagoon Residential Area

Any subdivision in the Hokowhitu Lagoon Residential Area that complies with the performance standards below is a Restricted Discretionary Activity with regard to:

- (a) Design and layout of subdivision.
- (b) The size, shape and arrangement of lots, access, and public open space.
- (c) Those matters described in Sections 108 and 220 of the Resource Management Act 1991.
- (d) Natural Hazards.
- (e) Urban Design.
- (f) Landscaping.
- (g) Connection between Hokowhitu Lagoon and the Manawatu River.
- (h) Staging of development.
- (i) Integration of essential services.
- (j) Connectivity.
- (k) Visual amenity.
- (l) Cultural heritage.
- (m) Access.
- (n) Safe and efficient operation of the roading network.
- (o) Effects on the capacity of Council infrastructure.
- (p) Outdoor/on-site amenity.
- (q) Water Sensitive Design principles and practices.
- (r) The effects on the Manawatu Golf Club and on the maintenance and enhancement of the amenity of the boundary at the interface with the Manawatu Golf Club including without limitation reverse sensitivity effects and landscape amenity.
- (s) Natural Heritage.
- (t) Provision of Reserves and other Public Open Spaces.

Performance Standards

(a) Controlled Activity Performance Standards

Compliance with R7.6.1.1 (a), (b), (d), (e), (h) and (i).

(aa) Structure Plan

Subdivision must be in general accordance with the Structure Plan shown on Map 7.7.2.6 Hokowhitu Lagoon Residential Area Structure Plan.

(b) Geotechnical Investigations

- (i) The requirement for a report from an accredited Chartered Professional Geotechnical Engineer identifying the potential liquefaction and lateral spread risks to the site and infrastructure that supports development. This report must also

contain recommendations as to the location, design and construction of foundations and infrastructure that are appropriate to mitigate any characteristic or feature identified. A copy of any site investigations including bore logs and/or cone penetration tests must accompany the report.

(c) Landscape Assessment

- (i) Any subdivision shall be accompanied by a landscape assessment that addresses Policy 10.12. The assessment shall be prepared by a Registered Landscape Architect.
- (ii) The Landscape Architect shall assess vegetation and its role in reducing risk from stray golf balls within the Golf Ball Hazard Area in Map 7.7.2.6. This includes whether additional vegetation would be appropriate and necessary to mitigate identified risk.

(d) Construction Traffic Management Plan

- (i) Any subdivision shall be accompanied by a Construction Traffic Management plan from a suitably qualified and experienced transport engineer or transport planner informing:
 - Appropriate routes for accessing the site; and
 - How to minimise the impacts of construction activities on local residential surroundings.

(e) Ruahine Reserve, Kanuka Grove and River Reserve Connection

- (i) The extent of the Ruahine Reserve shall be no smaller than what is depicted in Map 7.7.2.6 and the dimensions detailed within Map 7.7.2.7.
- (ii) The Ruahine Reserve shall be required to be created and vested to Council at the first instance of a subdivision within the Hokowhitu Lagoon Residential Area.
- (iii) The Kanuka Grove and River Reserve Connection, as identified as 'B' and 'C' in Map 7.7.2.6 shall be developed in line with the landscape assessment requirement in 7.6.2.4(c) and vested to Council as an outcome of subdivision.

(f) Centennial Drive

- (i) Vehicle access must be provided to an internal access road within the Hokowhitu Lagoon Residential Area. Vehicle access shall not be provided from Centennial Drive.
- (ii) The Centennial Drive Road Reserve shall be planted with trees capable of growing at least 10 metres tall. At least one tree shall be planted per lot facing Centennial Drive.
- (iii) Lots sharing a boundary with Centennial Drive shall plant at least one tree, capable of growing at least 5 metres tall, along the Centennial Drive boundary. This tree must be offset from the street tree described above in 7.6.2.4(f) (ii).
- (iv) Footpaths shall be provided along the Centennial Drive interface of the Hokowhitu Lagoon Residential Area. Pedestrian and bicycle access to lots sharing a boundary with Centennial Drive are permitted via the footpath.

Explanation

These requirements are intended to ensure a safe pedestrian environment and to contribute to maintaining a high amenity streetscape outcome as the former Hokowhitu Campus transitions to a residential environment.

(g) Minimum lot size along the Manawatu Golf Club interface

- (i) Lots adjoining the Manawatu Golf Club boundary that fall within the area identified as 'O' in Map 7.7.2.6 shall have a minimum lot size of 700m².
- (ii) Lots adjoining the Manawatu Golf Club boundary that fall within the area defined as 'P' in Map 7.7.2.6 shall have a minimum lot size of 600m²

Assessment Criteria

- (i) The extent to which the proposal contributes to the overall design principles for the areas listed in Policy 10.10
- (ii) The extent to which deviations from the Hokowhitu Lagoon Residential Area Structure Plan will result in an alternative coordinated, comprehensive outcome that will satisfy Objective 10 to an equal or greater extent.
- (iii) The extent to which significant existing vegetation is retained, particularly the memorial grove identified in Map 7.7.2.6, the existing vegetation along Centennial Drive and the Kauri tree planted by the Manawatu Cancer Society at the base of the Manawatu River stop bank.
- (iv) The availability of a suitable consent notice and/or land covenant to protect and/or retain the Kauri tree planted by the Manawatu Cancer Society at the base of the Manawatu River stop bank and as identified as 'M' in Map 7.7.2.6.
- (v) The extent to which the orientation of lots in the subdivision ensures sufficient solar access is available to the outdoor living area of future dwellings, while also recognising the role vegetation plays in minimising risk to safety of people and property from stray golf balls and that vegetation on the Manawatu Golf Club may limit solar access.
- (vi) The continuity and coherence of street trees and the extent to which they have been integrated into the design and layout of the subdivision and the wider neighbourhood environment.
- (vii) The extent to which street trees have been provided at an appropriate scale in relation to the size and significance of the related street and contributes to a distinctive sense of place within the streetscape.
- (viii) The extent to which Council has the ability to maintain and access infrastructure and services in the future.
- (ix) The extent to which natural hazard risks are identified and the effects are avoided or mitigated.
- (x) The extent to which subdivision considers and implements the findings of the geotechnical report to address land stability issues and recommended mitigation measures.
- (xi) The extent to which the design of the proposed subdivision facilitates the creation of a high quality attractive streetscape.
- (xii) Whether any adverse effects of the subdivision on the safe and efficient operation of the roading network can be effectively managed.
- (xiii) To have particular regard to the safety of cyclists and pedestrians.
- (xiv) The extent to which a connection, physical and/or interpretive, can be established between the Hokowhitu Lagoon and the Manawatu River.
- (xv) Whether safe pedestrian and bicycle access is provided between the Hokowhitu Lagoon Residential Area and the Hokowhitu Lagoon Reserve, especially from the River

Reserve Connection identified as 'C' in Map 7.7.2.6.

- (xvi) The extent to which the Objectives and Policies of Section 3: Tangata Whenua and Resource Management and Section 17: Cultural and Natural Heritage are given effect to.
- (xvii) The extent to which water sensitive design is incorporated into the streetscape design. This includes the potential use of swales, rain gardens, vegetation or other hydrological approaches that minimises the generation of runoff.
- (xviii) To take into account any reasonably practicable landscape treatment to protect people from stray golf balls where material risks are not internalised by the Manawatu Golf Club.
- (xix) The availability of a suitable consent notice and/or covenant for allotments created along the boundary of the Manawatu Golf Club for the purposes of minimising reverse-sensitivity effects and advising future land owners of golf course activities. This includes, but is not limited to, the effects of noise, vegetation and stray golf balls.
- (xx) To take into account the amenity and contributions of existing vegetation along the boundary of the Manawatu Golf Club.
- (xxi) The extent to which the Ruahine Reserve recognises the cultural significance of the site and delivers a high quality, safe, conveniently accessible open space that also provides for informal recreation.

NOTE TO PLAN USERS

1. All subdivisions must comply with the National Environmental Standard for Assessing and Managing Contaminants in Soil to protect Human Health.
2. Any subdivision and development that is located on any Site of Cultural Heritage Value as listed in Section 17 of the District Plan, must also comply with R17.8.1.

R7.6.2.5 Non-Notification of Subdivision in the Hokowhitu Lagoon Residential Area

Subdivision applications made for sites associated R7.6.2.4 must not be publicly or limited notified.

7.6.3 RULES: DISCRETIONARY ACTIVITIES

R7.6.3.1 Discretionary Activities

The following are Discretionary Activities

1. Any subdivision which is not a Controlled Activity or a Restricted Discretionary Activity or a Non-complying Activity is a Discretionary Activity.
2. Any subdivisions, excluding boundary adjustments, within the Savage Crescent Conservation Area.
3. Any subdivision which does not comply with the Performance Standards if R7.6.2.4 Subdivision in the Hokowhitu Lagoon Residential Area is a Discretionary Activity

7.6.4 RULES: NON-COMPLYING ACTIVITIES

R7.6.4.1 Non-Complying Activities

The following are non-complying activities:

1. All subdivisions in the Petersons Road, Hewitts Road, and Aokautere Village residential areas identified on Map 7.1.
2. All subdivisions in the Residential Zone situated within the Air Noise Contour identified on Map 10.6.6.1, except subdivisions for the purpose of accommodating any network

utility and boundary adjustments.

~~3. All subdivisions in the Pacific Drive Extension area shown on Map 7.1B Pacific Drive Extension Area, not complying with R7.6.1.1(g).²¹~~

4. Notwithstanding the activity status set out in R7.6.2.2, subdivision that occurs before a road link to James Line from Rosalie Terrace being constructed and vested with Council shall be a Non-Complying Activity.

7.7 Business Zones

7.7.1 RULES: CONTROLLED ACTIVITIES

R7.7.1.1 Controlled Activities

The following are Controlled Activities:

Any subdivision which complies with the Performance Standards below is a Controlled Activity in respect of:

- The size, shape and arrangement of lots, cross lease areas, company lease areas, units and access.
- Those matters described in Sections 108 and 220 of the Resource Management Act 1991.

Performance Standards for Controlled Activities under R7.7.1.1

(a) Existing Buildings

Where any land proposed to be subdivided contains existing buildings there shall be no increase in the degree of non-conformity with any Permitted Activity standard for the Business Zone, in which the proposed site(s) are located.

(b) Size, Shape and Arrangement of Lots

Except as provided in (a) above subdivisions must result in an arrangement of lots, cross lease and company lease areas and units capable of accommodating buildings and uses in accordance with the Permitted Activity Standards for the Business Zone, in which the site(s) are located.

(c) Access

Subdivisions must provide for service access and off-street parking in accordance with the Permitted Activity Standards for the Business Zone, in which the site(s) are located.

Access shall comply with the access performance standards of R20.4.2(a) of the Land Transport Section.

(d) Essential Services

- i. All essential services must be available for connection within 30 metres of the nearest point of the land being subdivided.
- ii. All new lots must have sewer, stormwater and water supply services that are connected to essential services.
- iii. Wastewater in Pressure Sewer Areas shall be reticulated with a Pressure Sewer System

iv. Wastewater outside of Pressure Sewer Areas may be reticulated with a Pressure Sewer System where it is demonstrated this method is feasible from a geotechnical, hydraulic, engineering and safety perspective. For the purposes of

²¹ Consequential amendment arising from S51.070

- (iii) above, the boundary kit and the pressure sewer pipe network located in public service corridors must be installed at the time of the subdivision and vested to Council.
- v. All new essential services proposed in a subdivision must be located in public service corridors either where they are to vest in Council or service in excess of 6 lots.

(e) Roads

Any proposed new road must be constructed in accordance with Appendix 20B in Section 20.

NOTE TO PLAN USERS

For any subdivision applications in areas identified as being within the National Grid Subdivision Corridor or within 100 m of the Turitea (Linton) National Grid Substation and 25 m of the Bunnythorpe National Grid Substation, as identified on the Planning Maps, that is not a subdivision for the purposes of accommodating a network utility, also refer to R7.16.2 and R7.16.3.

7.7.2 RULES: RESTRICTED DISCRETIONARY ACTIVITIES

R7.7.2.1 Essential Services

Any subdivision which does not comply with the Essential Services Performance Standard in R7.7.1.1(d) is a Restricted Discretionary Activity. Council shall restrict its discretion to the following matters:

- the ability for Council to maintain and access the pipe in the future.
- the cumulative effect of additional connections into the main trunk services.
- the integration of the services into the existing City network and its effect on efficient and orderly development within urban areas.
- Those matters described in Sections 108(1) and 220 of the Resource Management Act 1991

Non-Notification

No application under R7.7.2.1 is required to be publicly notified.

7.7.3 RULES: DISCRETIONARY ACTIVITIES

R7.7.3.1 Discretionary Activities

Any subdivision which is not a Controlled Activity or a Restricted Discretionary Activity is a Discretionary Activity.

7.8 Industrial Zone and North East Industrial Zone

7.8.1 RULES: CONTROLLED ACTIVITIES

R7.8.1.1 Controlled Activities

The following are Controlled Activities

Any subdivision which complies with the Performance Standards in below and which is not specified in R7.8.2 as a Restricted Discretionary Activity is a Controlled Activity. Council restricts its control to the following matters:

- The size, shape and arrangement of lots, cross lease areas, company lease areas,

units and access.

- Those matters described in Sections 108 and 220 of the Resource Management Act 1991.
- In the North East Industrial Zone, the establishment of buffer areas.

Non-Notification

The following activity addressed in this section must not be publicly notified: R7.8.1.1.

Performance Standards for Controlled Activities under R7.8.1.1

(a) Existing Buildings

Where any land proposed to be subdivided contains existing buildings there shall be no increase in the degree of non-conformity with the Permitted Activity Performance Standards for the Industrial Zone.

- i. the Permitted Activity Performance Standards for subdivisions located in the Industrial Zone; or
- ii. the Performance Standards prescribed for Permitted and Controlled Activities for subdivisions located within the North East Industrial Zone.

(b) Size and Arrangement of Lots

- i. In the North East Industrial Zone, the minimum area of each lot (including lots in (a) above) except lots for access, utilities or reserves, shall be 2 hectares.
- ii. Except as provided in (a) above subdivisions must result in an arrangement of lots, cross lease areas, company lease areas and units of sufficient area capable of accommodating buildings and uses in accordance with the Permitted Activity Standards for the Industrial Zone and the North East Industrial Zone.

(c) Access

Subdivisions must provide for service access and off-street parking in accordance with the Permitted Activity Performance Standards for the Industrial Zone and the North East Industrial Zone, provided that the width of any access must not be less than 6 metres.

Access shall comply with the access performance standards of R20.4.2(a) of the Land Transport Section.

(d) Essential Services

- i. All essential services must be available for connection within 30 metres of the nearest point of the land being subdivided.
- ii. All new lots must have sewer, stormwater and water supply services that are connected to essential services.
- iii. All new essential services proposed in a subdivision must be located in public service corridors either where they are to vest in Council or service in excess of 6 lots.
- iv. All new lots in the North East Industrial Zone Extension Area must provide innovative / low-impact stormwater designs under the requirement for a Comprehensive Development Plan in R7.8.2.1(3) and subject to assessment criteria in R7.8.2.1(3)(a)(vi).

Explanation

The intent of performance standard (d)(ii) is to ensure that in extending new sewer, stormwater and

water supply services to a new subdivision they must connect to essential services and must be located through a public service corridor, which will be vested in Council. Please refer to Diagram 7.3A and 7.3B for examples of how this will be applied.

Where a new essential service is not located in a public service corridor, Council is concerned about its ability in the future to maintain that service. At some stage the service (pipe) will need to be fixed or replaced. If the pipe, which is covered by an easement, runs through a number of private properties, access to the easement may be difficult and quite often private landowners will have constructed fences, gardens etc. over the easement thus impeding replacement of the pipe. Although an easement is in place on the title, landowners are seldom aware of the development restrictions related to such easements and these areas still get developed. Council has continual problems with structures, fences, gardens, driveways etc. over easements and when maintenance is required, the costs to Council and the landowners are increased.

Additionally, where services are to be connected into the City Council reticulated systems, it is necessary to ensure these connections are efficient and sustainable. This is influenced by how services are connected. The location of services is vital to the long term efficiency of the City infrastructure networks. The provision and location of essential services through a public corridor will ensure a well-managed network and will ensure logical and orderly development outcomes in urban areas avoiding premature development before the necessary infrastructure is in place to service it.

(e) Esplanade Reserves

In respect of lots less than 4 hectares in area, an esplanade reserve at least 20 metres wide shall be set aside from such lots along the bank of any river whose bed has an average width of 3 metres or more where the river flows through or adjoins the lot concerned.

(f) Buffer Screen Planting within Setback Areas

In the existing North East Industrial Zone, buffer areas are to be established along those boundaries of proposed lots adjoining Railway Road, Roberts Line, Richardsons Line and Setters Line in accordance with R12A.5.1. These buffer areas shall be planted to adequate depth and height, as outlined in the North East Industrial Design Guide, so as to provide visual screening to residents in the Rural Zone and to road users.

In the North East Industrial Zone Extension Area, buffer screen planting within building setback areas must be provided along those boundaries of proposed lots adjoining Railway Road and Rural Zone land. Buffer screen planting areas must be planted to adequate depth and height as required in R12A.6.2, so as to provide visual screening to residents in the Rural Zone and road users of Railway Road.

(g) Roads

Any proposed new road must be constructed in accordance with Appendix 20B in Section 20.

(h) Earthworks

In the North East Industrial Zone, any earthworks undertaken on the land being subdivided shall comply with R6.3.6.1 (c) for Permitted Activity standards.

7.8.2 RULES: RESTRICTED DISCRETIONARY ACTIVITIES

R7.8.2.1 Restricted Discretionary Activities

1. Any subdivision which does not comply with the Controlled Activity Performance Standards for Existing Buildings, Minimum Lot Area, Shape Factor, Access, or Earthworks, provided it complies with the performance standards in R7.8.2.1 below.
2. Or any subdivision in the Midhurst Street Industrial Area.
3. Or any subdivision in the North East Industrial Zone Extension Area.

4. Or any subdivision in the Railway Road Industrial Enclave.

Shall be Restricted Discretionary Activity. Council will restrict its consideration to the following matters:

- The size, shape and arrangement of lots, cross lease areas, units and access.
- Those matters described in Sections 108 and 220 of the Resource Management Act 1991.
- In the North East Industrial Zone, the ability for sites to be able to accommodate activities that comply with all of the relevant performance standards for that zone.
- In the North East Industrial Zone, with reference to earthworks, the potential effects on:
 - Landscape and visual impact
 - Effects on adjoining properties including amenity values
 - Impact on flood plains and flood flows
 - Increase in hazard risk and effects on land stability
 - Effects of erosion and sedimentation
 - Effects on overland flow paths
 - Effects on the National Grid
- In the North East Industrial Zone Extension Area:
 - Urban Design
 - Landscaping
 - Enhancement and management of surface water flows and overland flow paths
 - Integration of essential services
 - Natural hazards
 - Future development opportunities
 - Visual amenity
 - Effects on the capacity of Council infrastructure
 - Safe and efficient operation of the road network
 - Connectivity
 - Infrastructure and physical resources of regional and national significance
 - Hydraulic neutrality with regards to stormwater runoff

2. The Midhurst Street Industrial Area in addition to the matters above, the following:

- i. The extent to which the subdivision plan conforms with the Structure Plan for the Midhurst Street Industrial Area.
- ii. The extent to which the services are within public service corridors or can be conveniently accessed by the Palmerston North City Council.
- iii. The extent to which the subdivision provides for coherent and integrated internal roading network and roading and services sufficient to ensure the entire Midhurst

Street Industrial Area is appropriately serviced, including provision for connectivity to other land.

- iv. The extent to which the subdivision provides for appropriate means of collection and disposal of stormwater likely to be generated following development of the entire Midhurst Street Industrial Area.
- v. The extent to which appropriate access is provided taking into account the access performance standards of R20.4.2 of the Land Transport Section, including connection to Kelvin Grove Road as required in R12.4.3(h)(iii).
- vi. The imposition of consent notices to inform future purchasers of constraints on use and development in the District Plan to protect the operational capability of the Palmerston North Airport. In addition, the imposition of consent notices to ensure amenity planting is established and maintained.
- vii. The extent to which the subdivision provides for retention of the ephemeral stream as an open swale and the extent that is designed and planted to improve biological processes and local amenity.
- viii. The extent to which the subdivision adequately maintains and enhances local amenity, provides for pedestrian access, street tree planting, amenity planting at the entrance from Kelvin Grove Road and provides amenity planting adjacent to the Linklater Block as shown in the Structure Plan.
- ix. The extent to which the application provides for works and services to provide an intersection at the access point with Kelvin Grove Road as well as improvements to Kelvin Grove Road necessary to ensure traffic safety and efficiency is not adversely affected as a result of development of the entire Midhurst Street Industrial Area.
- x. With regard to earthworks activities, the potential effects on
 - a) Landscape and visual impact
 - b) Effects on adjoining properties including amenity values
 - c) Impact on flood plains and flood flows
 - d) Increase in hazard risk and effects on land stability
 - e) Effects of erosion and sedimentation
 - f) Effects on overland flow paths

3. In the North East Industrial Zone Extension Area in addition to the matters in R7.8.1.1 and those above (R7.8.2.1), the following performance standards and assessment criteria apply:

Performance Standards

- a. All subdivision in the North East Industrial Zone Extension Area must provide (as part of the subdivision consent application) a Comprehensive Development Plan that details how the design, layout and servicing of the Area is in accordance with the North East Industrial Zone Structure Plan (Map 7.2). The Comprehensive Development Plan must describe the following:
 - i. A Context Plan:
 - a) Describing the development context of neighbouring sites and the adjacent existing industrial area as a whole.
 - b) Showing the arrangement of lots, activities, buildings, and public open

space and landscape planting including that anticipated by the North East Industrial Zone Structure Plan (Map 7.2).

- ii. A site analysis which identifies important existing conditions on the site. This will include contours, any important landscape features and the following technical analysis:
 - a) A report from one or more chartered professional engineers, or other suitably qualified persons, experienced in soil mechanics, geotechnical engineering or land contamination, as relevant, identifying geo-physical features and characteristics of the land, including potential erosion, falling debris, subsidence, slippage, alluvium or likely presence of hazardous contaminants, and the likely risks that those features or characteristics present for the land, adjoining land, or any structure likely to be constructed on the land. This report must also contain or be accompanied by:
 - any recommendations as to the design and construction of foundations that are appropriate to mitigate any characteristic or feature identified;
 - an assessment on how fill should be placed onto the land based on the sub-surface conditions;
 - any recommendations as to the necessary remediation of contaminated land;
 - a copy of any site investigations including bore logs; and
 - a certificate from the engineer or other qualified expert confirming that the analysis undertaken is in accordance with professional standards, appropriate to the risks identified and of sufficient quality in order to be relied upon as a comprehensive hazards assessment.
 - b) A report from a hydraulic engineer identifying the characteristics of the land including potential avulsion or inundation and the likely risks that those features or characteristics present for the land and its future use. This report must also contain any recommendation as to the location, design and construction of foundations that are appropriate to mitigate any characteristic or feature identified. A copy of any site investigations including bore logs must accompany the report. The report must also demonstrate how the proposed stormwater detention / retention measures will ensure hydraulic neutrality is achieved and ensure that there is no increase in stormwater effects on surrounding areas.
- iii. A Development Scheme Plan, describing the proposed site planning and design. This will include the following:
 - a) The proposed layout and design
 - b) Allotments to be developed, their location and area
 - c) Indication of the intended activities and their location
 - d) Proposed access points to allotments
 - e) Any water course reserve areas, their proposed treatment and their potential to be integrated into an innovative and/or low-impact

stormwater design

- f) Location of on-site buffer screen landscaping
 - g) Location and type of street landscaping and street edge amenity planting treatments including footpaths, areas of planting, and integration with stormwater management
 - h) The use of on-site sustainable urban drainage systems and low impact design systems to manage the retention of stormwater
 - i) Infrastructural network servicing provision, including how the proposed infrastructure will provide for future staged development of the North East Industrial Zone Extension Area.
 - j) How the proposed road layout and design ensures connectivity to property and roads that have been developed or have the potential to be developed in the future.
 - k) Demonstration of how firefighting water supply is intended to be provided.
- iv. Programme and time frame for development, including a staging plan.
 - v. An urban design statement to explain how the proposed subdivision design relates to the site, its surroundings, and how it creates a high amenity industrial area. The urban design statement shall include:
 - a) Design rationale, which provides the reasoning for the intended approach and describes how the relevant issues identified have been responded to.
 - b) How the proposed subdivision gives effect to the North East Industrial Zone Structure Plan (Map 7.2).
 - c) How the planning and design of the proposed subdivision relates to the relevant objectives and policies of the District Plan.
 - vi. A statement describing whether the owner/operator of the gas transmission pipeline have been consulted regarding the protection of the gas transmission corridor and what progress has been made in securing required approvals where relevant.

Explanation

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

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

- *Context plan, describing the development context of neighbouring sites and the adjacent existing industrial area as a whole, showing the arrangement of lots, activities, public open space and landscape planting.*
- *Site and context analysis which identifies important existing conditions.*
- *Indication of the intended activities and their location.*
- *Design rationale, which provides the reasoning for the intended approach and describes how the relevant issues identified have been responded to.*

There is no one optimal way of scoping and presenting the information for a Comprehensive

Development Plan. The amount of information and type of approach will relate to the size and complexity of the subdivision. Confirmation of relevant issues and precise information requirements should be discussed with the PNCC consents team early in the Comprehensive Development Plan formulation process.

Determination Clause

In determining whether to grant consent and what conditions (if any) to impose, the Council will, in addition to the City View objectives and policies in Section 2, and the objectives and policies of Section 7 Subdivision, assess any application in terms of the following:

Assessment Criteria: North East Industrial Zone Extension Area

- a) Subdivision design and layout
 - i. The extent to which the design and layout of the subdivision gives effect to the North East Industrial Zone Structure Plan (Map 7.2).
 - ii. How the proposed subdivision, road layout and design relates to adjoining sites and areas and whether it ensures connectivity to property and roads that have been developed or have the potential to be developed in the future.
 - iii. The extent to which the subdivision and proposed road layout integrates with the existing North East Industrial Zone.
 - iv. The continuity and coherence of street trees, public open space landscaping, and the extent to which they have been integrated into the design and layout of the subdivision and the wider industrial area.
 - v. The extent to which the proposed subdivision incorporates and utilises identified water course reserves for stormwater management and as a design feature which provides increased amenity within the industrial area.
 - vi. Whether proposed stormwater detention/retention measures ensure hydraulic neutrality is achieved and that there is no increase in stormwater effects on surrounding areas.
 - vii. The extent to which paving, street landscaping and lighting treatments give effect to the hierarchy of street types established by the Structure Plan, and establish a consistent treatment along any street.
 - viii. The extent to which site contouring complements important natural features, while at the same time providing as appropriate for enhanced amenity and site functionality including stormwater management and noise control.
 - ix. The extent to which the proposed subdivision is capable of effectively and efficiently accommodating development that meets the objectives and policies of the North East Industrial Zone including those policies specific to the North East Industrial Zone Extension Area.
 - x. The extent which deviations from the Structure Plan will result in an alternative coordinated, coherent and high quality outcome that will satisfy its objectives to an equal or greater extent.
 - xi. The extent to which the proposed subdivision provides for the ongoing operation and maintenance of the gas transmission pipeline.
 - xii. The extent to which any earthworks associated with the subdivision have safeguards in place to ensure that adequate protection of the gas transmission pipeline is achieved.

b) Visual Amenity

- i. The extent to which the subdivision contributes to the realisation of a consistent and coordinated landscape treatment in all public areas throughout the Zone, in particular that street trees have been provided at an appropriate scale in relation to the size and significance of the related street.
- ii. The extent to which the design of the proposed subdivision facilitates the creation of high quality attractive public open spaces, including streetscapes.
- iii. The extent to which the subdivision provides for street tree planting in accordance with the North East Industrial Zone Structure Plan (Map 7.2), and that this and associated buffer screen landscaping is achieved in a way that safely and security is maintained at entrances and intersections, road edges, and other publicly accessible areas.
- iv. The extent to which frontage setbacks and landscape treatments along the edges of Roberts Line and Railway Road contribute to a memorable and cohesive road edge, with a landscape quality appropriate to a main city entrance route.
- v. The extent to which the subdivision provides for the establishment and maintenance of landscape buffers adjacent to Railway Road and Rural Zone properties, as outlined in the North East Industrial Zone Structure Plan (Map 7.2).
- vi. The extent to which Railway Road and Rural Zone boundary setbacks provide for vegetation of sufficient depth and height when mature to screen industrial buildings from the Rural Zone and road users.

c) Integration of Essential Services

- i. The degree to which the subdivision provides for the integration of essential services into the existing City network in a manner which is orderly and efficient and that facilitates future development and capacity requirements.
- ii. The extent to which stormwater is managed utilising natural systems including water course reserve areas and utilising permeable surfaces, swales and appropriate vegetation.
- iii. The extent to which innovative and/or low-impact stormwater design is integrated where appropriate and geo-technically feasible and is designed in a way that contributes to the visual amenity of the industrial area.
- iv. Whether the Council has the ability to maintain and access infrastructure and services in the future.
- v. The extent to which the proposed subdivision provides for coherent and integrated internal roading network and services sufficient to ensure the entire North East Industrial Zone Extension Area is appropriately serviced.

d) Natural Hazards

- i. The extent to which natural hazard risks are identified and the effects are avoided or mitigated.
- ii. The extent to which subdivision considers and implements the findings of the geotechnical report to address land stability issues and recommended mitigation measures.

- iii. The effect any earthworks will have on natural hazard risk and/or land stability, including effects on overland flow paths, and sedimentation.
 - iv. The extent to which flood hazard avoidance and stormwater management is provided to ensure the protection of development in a 0.5% Annual Exceedance Probability flood event and ensure the hydraulic neutrality of the industrial area.
 - v. The extent to which the proposed subdivision provides for appropriate means of minimising the generation of runoff and provides for the collection and disposal of stormwater likely to be generated following development of the site, including how the proposed infrastructure will provide for future staged development of the entire North East Industrial Zone Extension Area.
- e) Safe and Efficient Operation of the Roothing Network
- i. Whether any adverse effects of the proposed subdivision on the safe and efficient operation of the roading network can be effectively mitigated.
 - ii. Whether Richardsons, Setters Line or Roberts Line have been upgraded to a full industrial standard.
 - iii. The extent to which appropriate access is provided taking into account the access performance standards of R20.4.2(a) of the Land Transport Section.
 - iv. To have particular regard to pedestrians and cyclists.
- f) On-going operational capability of the Palmerston North Airport
- i. The extent to which future purchasers need to be informed of constraints on the use and development in the District Plan to protect the operational capacity of the Palmerston North Airport.

NOTE TO PLAN USERS: R7.8.2.1(3)

- 1 All subdivisions must supply a Comprehensive Development Plan as required by R7.8.2.1(3) of the District Plan.
- 2 Additional consents may be required from the Manawatu-Wanganui Regional Council, for activities including land disturbance and vegetation clearance. Plan users are encouraged to contact the Regional Council directly for information about One Plan requirements.
- 3 All subdivisions must comply with the National Environmental Standard for Assessing and Managing Contaminants in Soil.
- 4 It is advised that the applicant contact the appropriate power, telecommunications and gas companies to determine the feasibility of connecting to their services.

4. In the Railway Road Industrial Enclave in addition to the matters above:

- i. The extent to which any proposed access arrangement provides for the safe and efficient operation of the road network.
- ii. The extent to which the proposed allotments are capable of accommodating permitted activities in accordance with the performance standards.

Non-Notification (except for Restricted Discretionary Activities that do not comply with R7.8.1.1(h) earthworks):

- i. No application under R7.8.2 is required to be publicly notified.
- ii. Consents will not be required from any affected party.

Performance Standards for Restricted Discretionary Activities under R7.8.2.1

(a) Essential Services

All essential services must be available for connection within 30 metres of the nearest point of the land being subdivided.

NOTE TO PLAN USERS

It is advised that the applicant contact the appropriate power, telecommunication and gas companies to determine the feasibility of connecting to their services. The preference of Council is for essential services to be provided within 30 metres of the nearest point of land being subdivided. Council will only consider the extension or provision of services located outside of a public corridor within a Scheduled North East Industrial Zoned Site where servicing from adjoining land not within a public corridor is to be used.

(b) Esplanade Reserves

In respect of lots less than 4 hectares in area, an esplanade reserve at least 20 metres wide shall be set aside from such lots along the bank of any river whose bed has an average width of 3 metres or more where the river flows through or adjoins the lot concerned.

(c) Subdivision below 2 hectares in the North East Industrial Zone or in the North East Industrial Zone Extension Area, for the purposes of excising from sites lawfully established activities.

Lots below 2 hectares in the North East Industrial Zone or the North East Industrial Zone Extension Area may be created as a Restricted Discretionary Activity for the purposes of creating lots around lawfully established land use activities in existence prior to 23 April 2018. The balance lot shall have a minimum area of 2 hectares.

(d) Lots in the Midhurst Street Industrial Area

The maximum site area of each lot shall be 7500m² except for access, utilities, reserves, or a balance lot.

R7.8.2.2 Any subdivision which is not a Non-Complying Activity and which does not comply with the Controlled Activity Performance Standard (R7.8.1.1(d)(ii)) Essential Services is a Restricted Discretionary Activity.

Council will restrict its discretion to the following matters

- the ability for Council to maintain and access the pipe in the future.
- the cumulative effect of additional connections into the main trunk services.
- the integration of the services into the existing City network and its effect on efficient and orderly development within urban areas.
- Those matters described in Sections 108 and 220 of the Resource Management Act 1991.

Non-Notification

No application under R7.8.2.2 is required to be publicly notified.

R7.8.2.3 Subdivision within the Napier Road Industrial Precinct

Any subdivision within the Napier Road Industrial Precinct (as shown on Structure Plan 12.1) that is not provided for in R7.8.3.1 or R7.8.4.1 and which complies with the performance standards below is a Restricted Discretionary Activity.

Council will restrict its discretion to the following matters:

- a) The size, shape and arrangement of lots, cross lease areas, units and access.

- b) Those matters described in Sections 106, 108 and 220 of the Resource Management Act 1991.
- c) The ability for sites to be able to accommodate activities that comply with all of the relevant performance standards of R12.8.1.
- d) The degree to which the design and layout of the subdivision is in accordance with Structure Plan 12.1 in respect of:
 - i. Provision, design and location of the identified local roading network
 - ii. Establishment of Planted Buffer Areas.
 - iii. The design and level of flood protection.
 - iv. The design of stop-banks or engineered floodwalls established as part of the required flood protection measures.
 - v. The re-vegetation of the adjoining remnant river terrace and visual effects associated with the altered elevation of the remnant river terrace.
 - vi. The approval of New Zealand Transport Agency as the Road Controlling Authority for Napier Road (State Highway 3).
 - vii. Location and design of access onto Napier Road (State Highway 3).
 - viii. Access to the stormwater detention pond.

Performance Standards for restricted Discretionary Activities under R7.8.2.3

(a) Existing Buildings

Where any land proposed to be subdivided contains existing buildings there shall be no increase in the degree of non-conformity with the Permitted or Controlled Activity performance standards for the Industrial Zone.

(b) Size and Arrangement of Lots

- i. Except as provided in (a) above subdivisions must result in an arrangement of lots, cross lease areas, company lease areas and units of sufficient area capable of accommodating buildings and uses in accordance with the Permitted and Controlled Activity performance standards for the Industrial Zone.
- ii. All subdivisions must not result in an average lot size of greater than 5000m², excluding lots for access, utilities or reserves.

(c) Access

Compliance with R7.8.1.1(c).

(d) Essential Services

All essential services shall be available for connection within 30 metres of the nearest point of the land being subdivided.

(e) Planted Buffer Areas

Planted buffer areas are to be established along those boundaries of proposed lots that front or adjoin Napier Road, Lot 5 DP 74205 and Lot 4 DP 74205 in accordance with R12.5.1 (b). These planted buffer areas shall be planted to an adequate width and height and constructed at an adequate gradient, as outlined within R12.8.3(b).

(f) Re-vegetation of the Remnant River Terrace within the Napier Road Industrial Precinct

Any subdivision that will require or result in the recontouring of the remnant river

terrace identified on Structure Plan 12.1 will be required to re-vegetate the terrace in appropriate native species.

(g) Flood Protection

- i.** Flood mitigation measures shall be established that will prevent inundation from a 0.2% annual exceedance probability flood event (1 in 500 year flood).
- ii.** The flood mitigation measures shall include a minimum floor level of 37.56 metres on the industrial lots and a minimum ground level at the road boundary of 37.26 metres in terms of MSL Moturiki Datum 1953 such that the Napier Road Industrial Precinct is capable of achieving a gravity flow stormwater system towards the proposed stormwater detention pond shown on Structure Plan 12.1.
- iii.** Flood mitigation measures shall include perimeter stop-banking or engineered floodwalls to RL 38.1 in terms of MSL Moturiki Datum 1953.
- iv.** Should engineered floodwalls be constructed as an alternative to perimeter stop-banking they must provide a minimum factor of safety of 1.5 against any structural failure mode (including sliding, overturning or foundation failure). The engineered floodwall shall be designed and constructed in accordance with the relevant New Zealand Standards and to the satisfaction of the Palmerston North City Council.

(h) Stormwater Detention Area

The stormwater detention pond to be constructed as part of the development of the Napier Road Industrial Precinct whose general location is indicated on Napier Road Industrial Precinct Structure Plan 12.1 shall have street frontage and practical access for maintenance purposes.

Assessment Criteria

In determining whether to grant consent and the conditions that should be imposed, if any, Council reserves its discretion to an assessment of the extent to which the application meets the objectives and policies of the Subdivision Section and the following:

- a. The degree to which the subdivision is consistent with the Napier Road Industrial Precinct Structure Plan 12.1 in relation to the provision of Planted Buffer Areas and the identified local roading network.
- b. Whether the local roading network is designed and constructed in accordance with Council's Engineering Subdivision Standards.
- c. The extent to which the existing access to Napier Road is upgraded and designed and constructed in accordance with the New Zealand Transport Agency requirements and is of a standard sufficient to accommodate traffic generated by the future industrial development of the entire Napier Road Industrial Precinct.
- d. The extent to which the Napier Road Industrial Precinct develops as an integrated and efficient industrial precinct that specifically provides for small to medium sized industrial activities. In particular, ensuring infrastructure and access are addressed at the earliest opportunity and in a way that ensures all future development can be accommodated.
- e. The extent to which the Planted Buffer Areas provide effective visual screening to the occupiers of Lots 4 and 5 DP 74205 and visual enhancement of the landscape character and amenity values of Napier Road and the land identified as a future urban growth zone within Council's Urban Growth Strategy.
- f. The effectiveness of the initial establishment and maintenance of the Planted

Buffer Areas.

- g. The extent to which the remnant river terrace is re-vegetated to mitigate the adverse visual effects associated with the altered elevation of the river terrace.
- h. That all buildings and structures are provided with flood mitigation measures that will prevent inundation from a 0.2% annual exceedance probability flood event (1 in 500 year flood).
- i. That a stormwater system is designed and installed sufficient to manage stormwater generated by the future industrial development of the entire Napier Road Industrial Precinct and total catchment area that drains to the west and northwest corner of the Napier Road Industrial Precinct.
- j. The extent to which the design of the stop-banks or engineered floodwalls and planted buffer areas ensure the successful establishment of appropriate planting and minimises the visual impact of the stop-banks or engineered floodwalls, while also ensuring the stop-banks or engineered floodwalls retain their primary water retentive function.

7.8.3 RULES: DISCRETIONARY ACTIVITIES

7.8.3.1 Discretionary Activities

Any subdivision which is not a Controlled Activity, Restricted Discretionary Activity or Non-Complying Activity is a Discretionary Activity.

7.8.3.2 Any Subdivision in the North East Industrial Zone that seeks access to Richardsons Line, Setters Line or Roberts Line

Any subdivision in the North East Industrial Zone that creates allotments seeking access to Richardsons Line, Setters Line or Roberts Line before the road is upgraded to a full industrial standard that meets Council's standards for land development is a Discretionary Activity.

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

Assessment Criteria

- i. Whether any adverse effects of the proposed access on the safe and efficient operation of the roading network can be effectively mitigated.
- ii. The extent to which appropriate access is provided taking into account the access performance standards of R20.4.2(a) of the Land Transport Section.
- iii. Whether the road or part of the road or intersection requires upgrading to full industrial standard.
- iv. Whether the approval of the Palmerston North City Council as the roading controlling authority has been obtained.

7.8.3.3 Any Subdivision within the North East Industrial Zone Extension Area that cannot comply with R7.8.1.1(d)

Any subdivision within the North East Industrial Zone Extension Area that cannot comply with R7.8.1.1(d) is a Discretionary Activity.

In determining to grant consent and what conditions if any to impose, the Council will, in addition to City View objectives in Section 2 and the North East Industrial Zone objectives

and policies, assess any application in terms of the following assessment criteria:

Assessment Criteria

- i. Whether agreement has been reached with the Palmerston North City Council to extend or make available essential services within 30 metres of the nearest point of the land being developed.
- ii. Whether sewer, stormwater and water supply services are connected to essential services and located through a public service corridor.
- iii. Assessment criteria contained in R12A.6.2(k).
- iv. Those matters described in Sections 108 of the Resource Management Act 1991.

7.8.4 RULES: NON-COMPLYING ACTIVITIES

R7.8.4.1 Any subdivision within the Napier Road Industrial Precinct that does not comply with the following performance standards of R7.8.2.3 is a non-complying activity.

- (b)(ii) Average lot size
- (e) Planted Buffer Areas
- (f) Re-vegetation of the Remnant River Terrace within the Napier Road Industrial Precinct
- (g) Flood Protection
- (h) Stormwater Detention Areas

R7.8.4.2 Any subdivision in the North East Industrial Zone Extension Area seeking access to Railway Road is a non-complying activity.

R7.8.4.3 Any subdivision in the Braeburn Industrial Area is a non-complying activity.

7.9 Institutional Zone

7.9.1 RULES: CONTROLLED ACTIVITIES

R7.9.1.1 Controlled Activities

Any subdivision which complies with the Performance Standards below and which is not specified in R7.9.3.1 below as a Discretionary Activity is a Controlled Activity. Council restricts its control to the consideration of the following matters:

- The size, shape and arrangement of lots, cross lease areas, company lease areas, units and access.
- Those matters described in Sections 108 and 220 of the Resource Management Act 1991.

Performance Standards for Controlled Activities under R7.9.1.1

(a) Existing Buildings

Where any land proposed to be subdivided contains existing buildings there shall be no increase in the degree of non-conformity with any Permitted Activity standard for the Institutional Zone.

(b) Size, Shape and Arrangement of Lots

Except as provided in (a) above, subdivisions must result in an arrangement of lots,

cross lease and company lease areas and units able to accommodate buildings and uses in accordance with the Permitted Activity Standards for the Institutional Zone.

(c) Access

Subdivisions must provide for service access and off-street parking where required by the Permitted Activity Standards for the Institutional Zone.

Access shall comply with the access performance standards of R20.4.2(a) of the Land Transport Section.

Subdivisions shall not have frontage or access to the Pahiatua Track.

(d) Essential Services

- i. All essential services must be available for connection within 30 metres of the nearest point of the land being subdivided.
- ii. a. All new lots must have sewer, stormwater and water supply services that are connected to essential services
- b. All new essential services proposed in a subdivision must be located in public service corridors either where they are to vest in Council or service in excess of 6 lots.

(e) Esplanade Reserves

In respect of lots less than 4 hectares in area, an esplanade reserve at least 20 metres wide shall be set aside from such lots along the bank of any river whose bed has an average width of 3 metres or more.

(f) Roads

Any proposed new road must be constructed in accordance with Appendix 20B in Section 20.

7.9.2 Rules: Restricted Discretionary Activities

R7.9.2.1 Essential Services

Any subdivision which does not comply with the Essential Services Performance Standard in R7.9.1.1(d)(ii) is a Restricted Discretionary Activity. Council shall restrict its discretion to the following matters:

- the ability for Council to maintain and access the pipe in the future.
- the cumulative effect of additional connections into the main trunk services.
- the integration of the services into the existing City network and its effect on efficient and orderly development within urban areas.
- Those matters described in Sections 108(1) and 220 of the Resource Management Act 1991.

Non-Notification

No application under R7.9.2.1 is required to be publicly notified.

7.9.3 Rules: Discretionary Activities

R7.9.3.1 Discretionary Activities

Any subdivision which is not a Controlled Activity or a Restricted Discretionary Activity is a Discretionary Activity.

7.10 Airport Zone

7.10.1 RULES: DISCRETIONARY ACTIVITIES

7.10.1.1 Discretionary Activities

All subdivisions, except subdivisions for accommodating any network utility in accordance with R7.16.1.1, are Discretionary Activities.

7.11 Recreation, Conservation and Amenity, Racecourse and Arena Zones

7.11.1 RULES: RESTRICTED DISCRETIONARY ACTIVITIES

7.11.1.1 Restricted Discretionary Activities

Any subdivision within the Napier Road Residential Area is a Restricted Discretionary Activity. Council shall restrict its discretion to the following:

- The restoration and preservation of the ecological values of the Oxbow and Escarpment, its recreational features and its value as a stormwater conduit;
- The lodgement of a Comprehensive Reserve Management Plan for the oxbow and escarpment,
- The design and layout of the subdivision in accordance with the Structure Plan for the Napier Road Residential Area (Refer Map 7.5):
- The provision of pedestrian access, including opportunities for pedestrian access between the upper and lower terrace.

NOTE TO PLAN USERS

[Any subdivision within the Recreation or Conservation and Amenity Zones within the Aokautere Greenfield Residential Area is managed through the rules in Section 7A.](#)

7.12 Caccia Birch Zone

7.12.1 RULES: DISCRETIONARY ACTIVITIES

7.12.1.1 Discretionary Activities

All subdivisions, except subdivisions for accommodating any network utility in accordance with R7.16.1.1, are Discretionary Activities.

7.13 Race Training Zone

7.13.1 RULES: RESTRICTED DISCRETIONARY ACTIVITIES

7.13.1.1 Restricted Discretionary Activities

Any subdivision which complies with the Performance Standards below and which is not specified in R7.13.2.1 below as a Discretionary Activity is a Restricted Discretionary Activity. Council shall restrict its discretion to the following matters:

- The size, shape and arrangement of lots, cross-lease and company lease areas, units and access to any road other than a State Highway or Limited Access Road.
- Those matters described in Sections 108 and 220 of the Resource Management Act 1991.

Performance Standards for Restricted Discretionary Activities under R7.13.1.1

(a) Existing Buildings

Where any land proposed to be subdivided contains existing buildings there shall be

no increase in the degree of non-conformity with the Permitted Activity Standards for the Race Training Zone.

(b) Size and Arrangement of Lots

Except as provided in (a) above, subdivisions must result in an arrangement of lots of sufficient area capable of accommodating buildings and uses in accordance with the Permitted Activity Standards for the Race Training Zone.

(c) Esplanade Reserves

In respect of lots less than 4 hectares in area, an esplanade reserve at least 20 metres wide shall be set aside from such lots along the bank of any river whose bed has an average width of 3 metres or more where the river flows through or adjoins the lot concerned.

Non-notification

- i. No application under R7.13.1.1 is required to be publicly notified
- ii. Consents will not be required from any affected party

7.13.2 RULES: DISCRETIONARY ACTIVITIES

R7.13.2.1 Discretionary Activities

Any subdivision which is not a Controlled Activity or a Restricted Discretionary Activity is a Discretionary Activity.

7.14 Flood Protection Zone

7.14.1 RULES: RESTRICTED DISCRETIONARY ACTIVITIES

R7.14.1.1 Restricted Discretionary Activities

Any subdivision within the Flood Protection Zone that is not identified as a Controlled Activity in R7.16.1.1 is a Restricted Discretionary Activity. Council shall restrict its discretion to the following matters:

- The size, shape and arrangement of the lots and access
- Those matters described in Sections 108 and 220 of the Resource Management Act 1991
- Access
- The avoidance or mitigation of any natural hazard

Performance Standards for Restricted Discretionary Activities under R7.14.1.1

(a) Habitable Structures

There must be no habitable structure on the newly subdivided allotment.

(b) Minimum Lot Size

The minimum lot size shall be 2 hectares, excluding lots for access, utilities or reserves.

(c) Esplanade Reserves

- i. In respect of lots less than 4 hectares in area, an esplanade reserve 20 metres in width shall be set aside from such lots along the bank of any river whose bed has an average width of 3 metres or more where the river flows through or adjoins the lot concerned.
- ii. In respect of lots with areas of 4 hectares or greater, an esplanade reserve at least

20 metres wide shall be set aside from such lots along the banks of the following rivers:

- Manawatu River
- Mangaone Stream

In respect of lots with areas of 4 hectares or greater, an esplanade reserve at least 20 metres wide shall be set aside from such lots along the banks of the following rivers:

7.14.2 Rules: Non-Complying Activities

R7.14.2.1 Non-Complying Activities

Any subdivision (except subdivisions for accommodating any network utility in accordance with R7.16.1.1), which does not comply with the Performance Standards of R7.14.1.1 above or is within the Flyers Line Floodway (Map 22.5), are Non-Complying Activities.

7.15 Rural Zone

7.15.1 RULES: CONTROLLED ACTIVITIES

R7.15.1.1 Controlled Activities

1. Any subdivision which complies with the Performance Standards below and is not specified as a Restricted Discretionary Activity in R7.15.2, a Discretionary Activity in R7.15.3, or a Non-Complying Activity in R7.15.4, below, is a Controlled Activity in respect of:
 - The size, shape and arrangement of lots and the access thereto.
 - Those matters described in Sections 108 and 220 of the Resource Management Act 1991.
 - The suitability of the lots for the erection of dwellings and other buildings, and for the on-site disposal of waste water and for water supply including for firefighting purposes.
 - The avoidance or mitigation of natural hazards.

Performance Standards for Controlled Activities under R7.15.1.1

(a) Existing Buildings

Where any land proposed to be subdivided contains existing buildings, there shall be no increase in the degree of non-conformity with any Permitted Activity performance standard for the Rural Zone.

(b) Lot Area

- i. 20 hectares, minimum excluding any subdivision required to support the acquisition or disposal of land for a public work or a quarry.
- ii. For a surplus dwelling:
 - 1 hectare minimum
 - 2 hectares maximum

provided the surplus dwelling existed prior to 23 April 2018 and at least one additional residential dwelling existed prior to 23 April 2018 and remains on the balance of the property which need not comply with R7.15.1.1 (b) (i).

- iii. For the purpose of (i) and (ii) above, this shall include 5000m² of contiguous land where any part does not have a slope exceeding 11 degrees, as measured between two points no more than 10 metres apart, which is able to accommodate all of the following:
- A residential building platform
 - Vehicle access to the residential building platform
 - A minimum area of 800m² for the purposes of accommodating an on-site effluent disposal system.

NOTES TO PLAN USERS

1. Notwithstanding this rule, Council may exercise its power under Section 106 of the Resource Management Act, to decline consent to a proposed subdivision if land in respect of which a consent is sought is found to be subject to, or likely to be subject to, the effects of any natural hazard and the effects of any identified hazard are not able to be effectively avoided, remedied or mitigated by R7.15.1.2(b)(ii) or conditions of consent.
2. Plan users are encouraged to check the Manawatu-Wanganui Regional Council's One Plan to determine if any additional consents will be required from the Regional Council, particularly in respect of on-site domestic wastewater treatment systems.
3. In respect of on-site servicing, it is advised that that the Manawatu-Wanganui Regional Council has specific requirements in respect of any dwelling and associated on-site wastewater treatment systems (including discharge area). Landowners are required to regularly maintain systems and keep maintenance records for future monitoring and compliance assessment in accordance with the Regional Council's One Plan.
4. A resource consent granted pursuant to this rule will include a condition requiring that a Consent Notice be attached to the certificate of title, to advise land owners of the requirements of the Manawatu-Wanganui Regional Council's One Plan, and the obligations of the owner to install, operate, and maintain systems, and to keep records, for the purpose of compliance with Section 15 of the Resource Management Act 1991.
5. All subdivisions must comply with the National Environmental Standard for Assessing and Managing Contaminants in Soil.
6. Any subdivision and development that is located on any Site of Cultural Heritage Value, as listed in Section 17 of the District Plan, must also comply with R7.16.2.5.
7. Plan users are encouraged to refer to Section 22 - Natural Hazards, where a subdivision is located within or partially within a Flood Prone Area (as shown on the Planning Maps). Development can only be undertaken in accordance with R22.6.1.
8. For any subdivision applications, in areas identified on the Planning Maps as Flood Prone Areas, also refer to R7.16.2.1.

Explanation

Rural subdivision is an important aspect of farming enterprise. It can generate significant benefits by enabling the establishment of new economic activity and enterprise, and farm consolidation. It can also lead to consequential direct, indirect and cumulative effects and hence the need to control subdivision and development to sustainably manage rural land and soil resources, and to manage any adverse effects on the environment.

To meet the requirements of the Resource Management Act 1991, it is important that options for the future use of production land are retained so that the reasonably foreseeable needs of future generations can be met and the life-supporting capacity of land and soil resources are sustained.

In Palmerston North, rural land is becoming increasingly fragmented through subdivision, which has longer term implications for the efficient and sustainable use of good quality production land and primary production. The further subdivision of existing land parcels into smaller blocks, often for the purpose of residential occupancy, has the potential to reduce the supply of large blocks for primary production and contribute to rural land price inflation and reverse sensitivity effects on established activities. A 20 hectare minimum lot area Performance Standard is defined for Controlled Activity subdivision to preserve the productive capability of rural land and versatile soil resources and in the interests of sustainable management of natural and physical resources. 20 hectares is considered a reasonable, practical size for a rural landholding with some utility for future production options, for example, as a dairy support block for livestock grazing. It will avoid or

mitigate adverse effects of inappropriate subdivision within rural areas, particularly the conversion of production land to rural residential use. Council's intent is that rural subdivision applications which do not comply with the specified lot area, will be assessed as Non-Complying Activities under R7.15.4.1(3).

The elevated land on the eastern side of the City, some of which has the potential for instability (refer Section 22.9 Land Instability Hazards). As a consequence, Council, in considering applications for the subdivision of rural land, has a duty to carefully consider whether its obligations under section 106 of the Resource Management Act are satisfied prior to granting a consent for subdivision.

Other factors may exist within a site that may precipitate instability or increase its susceptibility to other natural hazards. For example: location within a Flood Prone Area, the presence of highly saturated soils; the proximity of the site to a receding or unstable cliff face; the proximity of the site to a waterbody, etc. In circumstances where these factors or other potential natural hazards are likely to compromise the utility of the areas identified under R7.15.1.1(b), Council will consider exercising its power under section 106 of the Resource Management Act to decline a subdivision application.

(c) Access

- i. Access to lots from a public road may be provided by way of either:
 - an access leg at least 5 metres wide forming part of the lot; or
 - a shared access consisting of up to four strips lying adjacent to one another and giving access to no more than three other lots, and in respect of which reciprocal rights-of-way are granted or reserved; or
 - an access lot or strip held in common ownership with the lot and up to three other lots; or
 - any right-of-way running with and appurtenant to the land in which the lot is comprised.
- ii. No two or more access strips to lots may lie adjacent to one another unless easements are granted over each access strip in a manner which enables joint use of a single driveway, and a single point of access to a public road.
- iii. The width of shared access shall be at least 6 metres.
- iv. Access shall comply with the access performance standards of R20.4.2(a) of the Land Transport Section.
- v. Where any subdivision creates allotments requiring vehicle access onto a Major or Minor Arterial road, and no alternative legal access to a public road exists, access shall be provided in accordance with an Access Management Structure Plan approved by Council's Roading Manager.

Explanation

An Access Management Structure Plan is required to be provided and authorised by Council at the time of subdivision consent. The Access Management Structure Plan will seek to optimise vehicle access in terms of road safety and efficiency and specify conditions and arrangements for the vehicle crossing. This Performance Standard is necessary to protect the safe and efficient function of the regional strategic and arterial road network and is consistent with the Regional Land Transport Strategy. The access controls may address, for example, the location and number of the vehicle crossing points, design and construction details.

(d) Esplanade Reserves

- i. In respect of lots less than 4 hectares in area, an esplanade reserve 20 metres in width shall be set aside from such lots along the bank of any river whose bed has an average width of 3 metres or more where the river flows through or adjoins the lot concerned.

- ii. In respect of lots with areas of 4 hectares or greater, an esplanade reserve at least 20 metres wide shall be set aside from such lots along the banks of the following rivers:
 - Manawatu River
 - Pohangina River
 - Turitea Stream (from the Manawatu River to the City's water supply area)
 - Mangaone Stream
 - Kahuterawa Stream (from the Manawatu River to a point opposite the present end of the formation of Kahuterawa Road).
- iii. In respect of the requirements of the above clause, the reduction or waiving of esplanade reserves; or the use of esplanade strips will be considered on the basis of Policy 4.3.

(e) Intensive Farming and Quarrying Buffer Zone

No subdivision shall be approved so as to result in a site for a new dwelling within 500 metres of any land or buildings associated with an existing intensive farming or existing intensive pig farming operation or existing quarrying operation.

(f) Roads

Any proposed new road must be constructed in accordance with Appendix 20B in Section 20 Land Transport.

(g) Separation Distance from existing or consented wind turbines

No rural subdivision shall be approved, so as to result in a site for a new residential dwelling within 1.5 km of any existing or consented wind turbine on a site for which a Wind Farm resource consent has been granted.

Explanation

Council considers that it is important to control subdivision and consequential land use and development, where the subdivision is in proximity to a consented Wind Farm and the new lots may be used for residential activities. The interface area around Wind Farms has been identified as being highly sensitive to the effects of Wind Farm noise, based on expert advice, and hence a separation distance for residential buildings is required to be complied with. This subdivision performance standard is in accordance with the recommended setback for residential buildings and consistent with the other requirements and provisions for the area, to which the subdivision relates (refer to R9.5.5(b)(i)(c)). The performance standard also accords with Section 6 of the Resource Management Act 1991 which refers to avoiding inappropriate subdivision, use and development. The Council in exercising its functions under the Resource Management Act 1991, must consider and be satisfied that all of its statutory obligations are satisfied, prior to granting a consent for subdivision.

7.15.2 RULES: RESTRICTED DISCRETIONARY ACTIVITIES

R7.15.2.1 Any Subdivision within the Aokautere Rural Residential Area, the Moonshine Valley Rural Residential Area and the Rural Residential Overlay (as shown on the Planning Maps) that complies with the Performance Standards below, is a Restricted Discretionary Activity, with regard to the following matters:

- Those matters described in Sections 108 and 220 of the Resource Management Act 1991
- Subdivision design and layout; size, shape and arrangement of lots; the location and design of access; and connectivity

- **Within the Aokautere Structure Plan area ~~The extent to which the subdivision is~~ in-consistent²² accordance with any relevant Structure Plan the Aokautere Structure Plan²³**
- Provision of on-site services, suitability of the lots for the on-site disposal of wastewater and water supply including for firefighting purposes
- Landscape, conservation, indigenous biodiversity and amenity values
- Natural Hazards
- Reverse sensitivity effects
- Effects on Council's infrastructure network
- **Management of stormwater runoff**
- **Availability of operational transport infrastructure²⁴ Available capacity in the intersections identified in Table 7A.1 and 7A.2²⁵**
- Effects on the safe and efficient operation of the road network
- Effects on Strategic Infrastructure and physical resources of national, regional or district importance, including the National Grid
- **Earthworks**
- **Effects on the gully network within the Aokautere Structure Plan area²⁶**
- Outcomes of any consultation with the Manawatu-Wanganui Regional Council
- **Effects on Cultural values within the Aokautere Structure Plan area²⁷**

Performance Standards

(a) Existing Buildings

Where any land proposed to be subdivided contains existing buildings, there shall be no increase in the degree of non-conformity with any Permitted Activity performance standards for the Rural Zone.

(b) Minimum Lot Area

- i. In the Aokautere Rural Residential Area – 5000m², excluding lots for access, utilities or reserves.
- ii. In the Moonshine Valley Rural Residential Area - 1.5 ha, excluding lots for access, utilities or reserves.
- iii. In the Rural Residential Overlay Area - 1 ha, excluding lots for access, utilities or reserves.

(c) Natural Hazards and On-Site Services

All subdivision applications must be submitted with a geotechnical report and statement of professional opinion from ~~a registered engineer~~ **an accredited Chartered Professional Engineer** experienced in soils mechanics or geotechnical engineering that certifies that the land is suitable for building construction **having considered natural hazard risk**, with regard to:

²² S50.025, S51.008, S58.014

²³ S51.013, S51.007, S51.134

²⁴ S50.025

²⁵ S63.04

²⁶ S51.013, S51.007, S51.134

²⁷ S51.013, S51.007, S51.134

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- i. the proposed residential building platform and associated facilities;
- ii. the vehicle access to the residential building platform; and
- iii. the area for on-site wastewater disposal system (and discharge area).
- iv. **suitable setbacks for buildings from the top of any escarpment or gully edges in the Aokautere Structure Plan²⁸ Rural Residential area; with particular reference to:**
 - (a) cut slope behaviour and slope stability analysis to develop appropriate setback distances from the crest of slopes for building platforms;**
 - (b) whether building platforms should be restricted in certain areas; and/or**
 - (c) whether specific foundation designs are required in certain locations; and/or**
 - (d) future stream erosion and potential for downcutting²⁹.**
- v. **the management of stormwater run-off for sites located within the Aokautere Rural Residential Overlay Area shown on the Aokautere Structure Plan³⁰ with regard to land stability and erosion of the gully network and any downstream stormwater controls³¹.**

Explanation

It is essential that all new residential allotments are capable of use and consequent development. A new lot must contain a safe and adequate building site for establishing a residential dwelling and associated buildings, such as a garage. It must also have stable foundations for road access, parking and for an on-site wastewater disposal system.

Given the topographical and geological characteristics of many rural residential areas and the proneness of sloping land to erosion and/or landslide hazard, the Council requires all applicants to submit a Geotechnical Report and a Statement, (prepared in accordance with Schedule 2A of NZS 4404:2010 Land Development and Subdivision Infrastructure), on the suitability of land for building construction.

Council's Policy document Development of Land which is, or is likely to be, subject to Erosion, authored by Tonkin & Taylor (2005) **and in Aokautere the updated report Aokautere slope stability: considerations for consenting (Tonkin & Taylor (May 2022))³²**, provides helpful guidance on the level of technical investigation, assessment and design requirements associated with the various Land Classes: A, B, C, D and E (refer to Table 4.1). The expectation is that the level of technical investigation required is commensurate to the relative potential of erosion or landslide hazard at the site.

NOTES TO PLAN USERS

1. In respect of on-site servicing, it is advised that that the Manawatu-Wanganui Regional Council has specific requirements in respect of any dwelling and associated on-site wastewater treatments systems (including discharge area). Landowners are required to regularly maintain systems and keep maintenance records for future monitoring and compliance assessment in accordance with the Regional Council's One Plan.
2. A resource consent granted pursuant to this rule will include a condition requiring that a Consent Notice be attached to the certificate of title, to advise land owners of the requirements of the Manawatu-Wanganui Regional Council's One Plan, and the obligations of the owner to install, operate, and maintain systems, and to keep records, for the purpose of compliance with Section 15 of the Resource Management Act 1991.

(d) Esplanade Reserves

In respect of lots less than 4 hectares in area, an esplanade reserve at least 20 metres in width shall be set aside from such lots along the bank of any river whose bed has an average width of 3 metres or more where the river flows through or adjoins the lot concerned.

²⁸ S50.025

²⁹ S39.008

³⁰ Minor amendment to clarify that the clause applies the Rural Residential Area shown on the Structure Plan

³¹ S39.007, S34.001, S41.008, S17.001, S30.001

³² S51.014, S50.025, S39.008

(e) Intensive Farming and Quarrying Buffer Zone

No rural residential subdivision shall be approved so as to result in a site for a new dwelling within 500 metres of any land or buildings associated with an existing intensive farming or existing intensive pig farming operation or existing quarrying operation.

(f) Subdivision in the Aokautere Rural-Residential Overlay³³ Area within the Aokautere Structure Plan

- i. An application for subdivision consent must be include a statement describing how the proposed development is consistent in general accordance with the Aokautere Structure Plan, including how the fixed and other Structure Plan elements are included in accordance with Policy 3.7³⁴.
- ii. The ~~existing~~ road network street hierarchy, street types and street cross sections, and upgrades identified on the Aokautere Structure Plan are must be provided within the area to be subdivided.
- iii. The design principles contained within Policy 3.7 must be implemented through the subdivision and development.³⁵ For subdivision and development within the Aokautere Structure Plan Area³⁶, the transport network upgrades listed in Table 7A.1 in Section 7A:
 - (a) are operational before subdivision and development commences within the Aokautere Structure Plan Area, or
 - (b) are not operational, but a transport assessment has been prepared by a suitably qualified person experienced in traffic engineering and transport planning that:
 - i. Assesses the current level of service for the intersections identified in Table 7A.1; and
 - ii. Predicts whether the traffic generated by the proposed development will exceed the capacity thresholds for one or more of the intersections identified in Column 1 of Table 7A.1 and determines that none of the capacity thresholds in Column 2 of Table 7A.1 are exceeded; and
 - iii. Describes any consultation undertaken with the relevant road controlling authority regarding the proposal and the outcomes of this consultation³⁷.

Explanation

Where the transport assessment predicts that any or all of the capacity thresholds in Table 7A.1 will be exceeded, the activity will be a non-complying activity under Rule R7.15.4.1³⁸.

- iv. The safety improvements at Turitea Road/Valley Views intersection scheduled under the 10-Year Plan 2021-2031 must be implemented before any rural residential development occurs.³⁹
- v. Any subdivision application is must be⁴⁰ accompanied by an earthworks plan identifying any restructuring of land, earthworks, or other works to create land with improved slope and soil stability necessary to enable the development of building

³³ S50.025

³⁴ S50.025, S51.008, S58.057

³⁵ S51.008, S58.057

³⁶ S63.004

³⁷ S63.04

³⁸ S63.04

³⁹ S35.003

⁴⁰ S50.025

platforms, services, and access ways. The plan must address:

- **the management of archaeological discoveries, including how tangata whenua involvement and cultural monitoring will be accommodated; and**
- **any recommendations as to the location, design and construction of building sites, foundations and infrastructure arising out of technical reports prepared under Policy 3.7 and performance standard c⁴¹.**

Determination Clause

In considering an application and determining whether to grant consent and what conditions to impose, the Council will have regard to the City View objectives in Section 2 and Subdivision objectives and policies, and the following assessment criteria:

Assessment Criteria

(a) Subdivision design and layout and access

- i. The extent to which the subdivision design and layout responds to the context of the site and the wider development context in terms of:
 - a. incorporating existing land uses;
 - b. gives due regard to the natural and physical characteristics of the land;
 - c. minimising the impact of any planned building sites on existing visual amenity qualities, particularly sightlines and views to regionally outstanding natural features and landscapes;
 - d. provides for a low density form of rural residential development, at a scale and pattern that that is in keeping with the surrounding area;
 - e. preserving the rural character, landscape and amenity of the surrounding rural environment.
- ii. The extent to which the subdivision design and layout creates a distinctive sense of place and contributes to and/or enhances the overall rural character and amenity of the area.
- iii. The extent to which the subdivision promotes an appropriate scale of development at the interface with adjoining rural sites and addresses reverse sensitivity effects for activities permitted in the Rural Zone and other lawfully established activities.
- iv. The extent to which the subdivision design and layout provide a safe, living environment and whether the layout applies Crime Prevention through Environmental Design (CPTED) principles.
- v. The extent to which the layout takes into consideration the shape, orientation and aspect of sections, to create building sites which have a northward orientation and ability for passive solar gain.
- vi. The extent to which all lots within the subdivision have safe and adequate vehicle access, taking into account the requirements of R20.4.2(a) of Section 20 Land Transport.
- vii. The extent to which the subdivision promotes an integrated and legible road hierarchy that supports safe and efficient connections, within the subdivision and to the adjoining the rural area and promotes walking and cycling.

(b) On-site services

⁴¹ S21.002, S107.004

The extent to which the water, wastewater and stormwater is appropriately managed within the subdivision to ensure the protection of rural residential development **and the surrounding environment** from any adverse impacts.

(c) Landscape and amenity values

- i. The extent to which the overall design of the proposed subdivision facilitates the creation of a high quality rural residential environment.
- ii. The extent to which the subdivision recognises and responds to the natural environment and values and enhances or maintains biodiversity and ecological values.
- iii. The extent to which the subdivision recognises and protects existing 'green corridors' plantings, indigenous vegetation and bush remnants, neighbourhood and drainage reserves, and wetlands.
- iv. The extent to which earthworks and vegetation clearance will affect adjoining properties and result in adverse visual amenity, and how these effects will be managed.
- v. The extent to which the character and amenity of the adjoining land is maintained.
- vi. The extent to which the subdivision will affect the views from adjoining residences, to natural features and landscapes, and how these effects are managed.
- vii. The extent to which any subdivision would lead to the creation of buildings sites and structures being highly visible against the highest ridges and hilltops of the Tararua Ranges.
- viii. The extent to which road design and landscape treatments contribute to the overall rural residential character of the area and provides connections to reserves, where appropriate.

(d) Effects on Council infrastructure network

Whether the subdivision will lead to an increase in demand for infrastructure services or extensions and upgrades that are not in the economic interests of the City or would adversely impact the efficient operation and functioning of the City's infrastructure networks or result in network inefficiencies.

(e) Urban growth

Whether the subdivision is appropriate in terms of the location (the scale, form and character of development proposed) and whether a consent, if granted, would undermine the Council's Residential Growth Strategy, **any relevant Structure Plan, and planned infrastructure investment, and where relevant the Aokautere Structure Plan**⁴² having regard to cumulative or precedent effects on the efficient and orderly development of urban areas.

(f) Safe and efficient operation of the roading network

Whether the local road network is designed and constructed in accordance with Council's Engineering Standards for Subdivision.

(g) Strategic infrastructure and the National Grid

Whether any adverse effects of the subdivision on nearby existing or designated infrastructure, (including requirements for designations or planned infrastructure), will be effectively mitigated.

(h) Rural-Residential Development within the Aokautere Structure Plan

⁴² S51.013, S51.007 and S51.134

- i. ~~How Whether~~ the subdivision is consistent in general accordance⁴³ with the Aokautere Structure Plan.
- ii. ~~How Whether~~ the subdivision design and layout create allotments which are reflective of landscape and neighbourhood character and demonstrate connectivity with adjoining developments, including street and pedestrian access, cycleways and recreational trails which link to open space corridors.
- iii. ~~How Whether~~ the proposal ~~incorporates~~ provides for the design principles matters outlined in Policy 3.7⁴⁴.
- ~~iv. Whether all operational the transport network upgrades, including those outside of the Aokautere Structure Plan area, that are infrastructure necessary to provide for a safe and efficient transport network have been completed and are for the subdivision will be constructed are operational prior to development.~~⁴⁵
- iv. The extent to which the subdivision complies with the transport network requirements set out in R7A.5.2.2(i)⁴⁶.
- v. Whether the traffic generated by the proposed development will exceed the capacity thresholds in Column 2 of Table 7A.2 at the intersections identified in Column 1 of Table 7A.2⁴⁷.
- vi. The extent to which significant adverse effects on the transport network have been avoided.⁴⁸
- ~~v. Whether How~~ the proposed stormwater management system avoids adverse effects on the receiving environment⁴⁹. ~~ensures there is no increase in stormwater effects on surrounding areas.~~
- vii. ~~How Whether~~ the subdivision recognises and protects the gully network, wetlands, significant natural areas and indigenous biodiversity habitats of local significance.⁵⁰
- viii. ~~How Whether~~ the subdivision ~~development~~ manages adverse effects associated with geotechnical constraints and natural hazards within the surrounding area so that there are no new or exacerbated hazards or increased exposure to natural hazards.⁵¹
- ix. Whether there is a need for physical measures to prevent vehicles using the peri-urban road labelled 'A' on the Aokautere Structure Plan Map 7A.4D Street Types until the transport network upgrades, including at the intersection of Turitea Road and Valley Views Road, have been completed.⁵²

Explanation

Subdivision for rural residential development is a Restricted Discretionary Activity to ensure that rural residential development achieves a high quality environment and connectivity with the wider rural area and promotes the sustainable management of natural and physical resources.

All rural residential sites are required to be independently serviced with water, wastewater, including

⁴³ S50.025

⁴⁴ S50.025

⁴⁵ S63.004

⁴⁶ S63.04

⁴⁷ S63.04

⁴⁸ S63.04

⁴⁹ S77.001

⁵⁰ S77.001

⁵¹ S51.017

⁵² S13.002, S86.001, S31.002

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supplies for firefighting and electricity, except lots for access, utilities, and reserves. To ensure on-site wastewater treatment systems are consented, built and serviced regularly, a consent notice will be registered against the certificate of title, to inform future purchasers of the consenting and monitoring requirements of the Manawatu-Wanganui Regional Council.

Rural residential construction and development can create adverse effects on the environment in terms of surface and ground water quality. In particular circumstances, rural residential development can also have adverse impacts on rural character and amenity values and increase the potential for reverse sensitivity effects, particularly for farmers undertaking rural production activities. The purpose of the Restricted Discretionary Activity rule is to ensure that any potential effects of subdivision and development are comprehensively assessed and that appropriate conditions are imposed on subdivisions to achieve appropriate outcomes for existing rural enterprises and future occupiers of the new sites, and to avoid or mitigate adverse environmental effects.

The Moonshine Valley Rural Residential Area has been identified as a special character area, principally because of its relatively uniform development pattern and its open, natural streetscape appearance, but also its high natural character and amenity values, and its unique ecology and important biodiversity. Given the spatial and visual coherence of the existing development pattern and streetscape within Moonshine Valley, it is Councils intent that subdivision applications which do not comply with the 1.5 ha minimum lot size rule, will be assessed as a Non-Complying Activity. The values and characteristics of Moonshine Valley are documented in the report Moonshine Valley Visual Landscape Assessment (Palmerston North City Council 2011) and the Palmerston North Landscape Inventory (Palmerston North City Council 2011).

Non-Notification

- i. No application under R7.15.2.1 is required to be publicly notified.
- ii. [Waka Kotahi New Zealand Transport Agency must be given limited notification of an application under R7.15.2.1 within the Rural Residential Overlay within the Aokautere Structure Plan, unless written approval has already been provided⁵³.](#)

NOTES TO PLAN USERS

1. Notwithstanding this rule, Council may exercise its power under Section 106 of the Resource Management Act 1991, to decline consent to a proposed subdivision if land in respect of which a consent is sought is found to be subject to, or likely to be subject to, the effects of any natural hazard and the effects of any identified hazard are not able to be effectively avoided,

⁵³ S63.04

remedied or mitigated by conditions of consent.

2. Plan users are encouraged to check the Manawatu-Wanganui Regional Council's One Plan to determine if any additional consents are required from the Regional Council in respect of on-site domestic wastewater treatment systems. Where a Discharge to Land Consent is required for on-site services, it is Council's expectation that this consent is sought and approved by the Manawatu-Wanganui Regional Council, prior to lodging an application for subdivision resource consent, as prescribed in the Council's document Engineering Standards For Land Development.
3. All subdivisions must comply with the National Environmental Standard for Assessing and Managing Contaminants in Soil.
4. 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 R7.16.2.5.
5. For any subdivision and development that is located near to the National Grid, as shown on the Planning Maps, also refer to Section 23 - Utilities.
6. It is advised that the applicant contact the appropriate power, telecommunication and gas companies to determine the feasibility of connecting to their services.

R7.15.2.2 Any Subdivision that seeks access to a Restricted Access Road

Any subdivision that creates allotments requiring vehicular access to a Restricted Access Road as identified in 20.6.1.6 and Figure 20A.5 of the Land Transport Section provided it complies with the Performance Standards for Controlled Activities under R7.15.1.1 with the exception of R7.15.1.1(c) Access, shall be a Restricted Discretionary Activity with regard to:

- The written approval of the Palmerston North City Council, as road controlling authority for Restricted Access Roads, being obtained.
- Location and design of access onto the Restricted Access Road.
- The ability of the road identified in the Roding Hierarchy (20.6.1.6) of the District Plan to adequately meet the additional demand created by the subdivision including the cumulative effect of additional accesses on traffic safety and convenience.
- Those matters described in Sections 108 and 220 of the Resource Management Act 1991.

Non-Notification

No application under R7.15.2.2 is required to be publicly notified.

NOTES TO PLAN USERS

Restricted Access Roads are listed in 20.6.1.6 of the Land Transport Section and shown on Figure 20A.5.

Explanation

This rule applies to the subdivision of land with frontage to a Restricted Access Road (refer to 20.6.1.1 and Figure 20A.5). These roads are potentially inappropriate for further development, in terms of their demanding or complex geometry and access deficiencies and/or because of their potential strategic importance for the City as a future Major Arterial route. Examples of access deficiencies include poor sight distances and visual obstructions; narrow, winding and/or metalled roads with demanding geometry; and substandard vehicle accesses, in term of geometry and construction.

Subdivisions requiring access onto a Restricted Access Road need specific consideration and assessment at the time of subdivision consent to optimise the location and number of access points and/or reduce road safety risks. Consideration will also be given to the subsequent use and development of newly subdivided land, and whether access arrangements have adverse effects on road network infrastructure or comprise the safety and efficient operation of potential future City- wide arterial roads, including a future river crossing. Conditions may be imposed in respect of the location, number, design and construction of vehicle access crossing points, associated with a particular subdivision.

R7.15.2.3 Any Subdivision that does not comply with R6.3.6.1(a)

Any Subdivision in the Rural Zone that is not a Discretionary Activity or a Non-Complying Activity and that does not comply with R6.3.6.1(a) is a Restricted Discretionary Activity. Council shall restrict its discretion to the following matters:

- Landscape and visual impact
- Effects on adjoining properties including amenity values
- Impact on flood plains and flood flows
- Increase in hazard risk including the effects on land stability
- Effects of erosion and sedimentation
- Effects on overland flow paths
- Effects on the National Grid
- Those matters described in Sections 108 and 220 of the Resource Management Act 1991.

Non-Notification

No application under R7.15.2.3 is required to be publicly notified.

7.15.3 RULES: DISCRETIONARY ACTIVITIES

R7.15.3.1 Discretionary Activities

1. Any cross lease, company lease or unit subdivision is a Discretionary Activity.
2. Any subdivision which does not comply with the Controlled Activity Performance Standards (R7.15.1.1) for Existing Buildings, Lot Area (R7.15.1.1(b)(iii) only), Access, Esplanade Reserves, Intensive Farming and Quarrying Buffer Zone and Roads, is a Discretionary Activity.
3. Any subdivision within the Aokautere Rural Residential Area, the Moonshine Valley Rural Residential Area and the Rural Residential Overlay (as shown on the Planning Maps) which does not comply with the Restricted Discretionary Activity Performance Standards (R7.15.2.1) for Existing Buildings, Natural Hazards and On-site Services, Esplanade Reserves, Intensive Farming and Quarrying Buffer Zone is a Discretionary Activity.
4. Any subdivision for a surplus dwelling which does not comply with the 1ha minimum lot size (R7.16.2.1 (b)(ii)) or any subdivision within the Rural Residential Overlay (as shown on the Planning Maps) which does not comply with the 1ha minimum lot size (R7.15.1.1 (b)(iii)) is a Discretionary Activity provided the subdivision does not contain any lot below 5000m².
5. [Any subdivision within the Rural-Residential Overlay area shown on the Aokautere Structure Plan Map 7A.4 that does not comply with R7.15.2.1\(f\)\(i\), \(f\)\(ii\) or \(f\)\(v\)⁵⁴.](#)

R7.15.3.2 Any Subdivision (excluding boundary adjustments or a company lease where no additional allotments are created) within the Tararua Ranges Landscape Protection Area (Map 9.1) is a Discretionary Activity.

Determination Clause

In determining whether to grant consent and what conditions to impose, the Council will, in addition to the City View objectives in Section 2 and objectives and policies of Section 9 – Rural and the Subdivision Section, assess any application in terms of the following assessment criteria:

⁵⁴ S50.025

- i. The extent to which the location, layout and design of the subdivision including access, services and any building platform, avoids significant adverse cumulative effects on the characteristics and values of the Tararua Ranges and the Manawatu Gorge Outstanding Natural Features and Landscapes, as defined in Map 9.1. In particular,
 - a. The layouts should minimise the visual or landscape impact of any building platform on ridges and hilltops.
 - b. With regard to roads and vehicle accesses and boundary fencing, that these are located away from visually exposed faces, with public views.

Explanation

The provision of this Discretionary Activity rule will ensure that rural subdivisions which do not comply with the Controlled Activity performance standards (other than lot area and wind turbine separation distance performance standard) are appropriately assessed to ensure any adverse effects on the environment are appropriately avoided, remedied or mitigated and do not compromise the primary intent of the Rural Zone, to provide for primary production activities.

The creation of undersized lot(s) may result in the loss of the productive capability of rural land including any versatile soils, may impact on the viability of an existing productive use of the land and adjacent land use activities. Hence, it is Council's intention that subdivision applications which do not comply with the lot area performance standard will be assessed as a Non-Complying Activity.

7.15.4 RULES: NON-COMPLYING ACTIVITIES

R7.15.4.1 Non-Complying Activities

1. Any subdivision not provided for as a Controlled or Restricted Discretionary or Discretionary Activity shall be a Non-Complying Activity.
2. All subdivisions in the Rural Zone situated within the Air Noise Zone identified on Map 10.6.6.1 are Non-Complying Activities, except subdivisions for the purposes of accommodating any network utility and boundary adjustments.

Explanation

The Air Noise Zone identified in Map 10.6.6.1 defines an area around Palmerston North Airport within which the current or future daily amount of aircraft noise exposure is of such a high level as to warrant prohibition of noise sensitive activities, such as new dwellings, schools, hospitals and other noise sensitive activities. As the subdivision process facilitates the establishment of such activities, it is necessary that the Council be able to undertake a comprehensive effects assessment of subdivision proposals to ensure that the objectives and policies of the District Plan with respect to air noise controls will not be compromised, and in particular active discouragement to subdivision of land for the purpose of residential occupancy.

3. Any subdivision which does not comply with the Controlled Activity Performance Standards for Lot Area (R7.15.1.1 (b) (i)) or Separation Distance from existing or consented wind turbines (R7.15.1.1 (g)), is a Non-Complying Activity.
4. Any subdivision which does not comply with the Restricted Discretionary Activity Performance Standard for Minimum Lot Area (R7.15.2.1 (b) (i), (ii) and (iii)) and any Subdivision in the Rural Residential Area identified on the Aokautere Structure Plan where the transport assessment required by R7.15.2.1 Performance Standard (f)(iii)(b) predicts that the capacity in one of more of the intersections identified in Table 7A.1 will be exceeded, and subdivision in the Aokautere Rural Residential Area (R7.15.2.1(f)) is a Non-Complying Activity.⁵⁵
5. Any subdivision that contains a lot below 5000m².
6. **Any subdivision in the Rural Zone or in the Rural Residential Overlay that will create lots within**

⁵⁵ S50.025

the Gun Club High Noise Area 55 dB LA_{Fmax} contour area identified on Map 7A.4B of the Aokautere Structure Plan, except subdivision for the purposes of accommodating any network utility, is a Non-Complying Activity⁵⁶.

Determination Clause

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

Notification

The Manawātū Rifle Rod & Gun Club may be given limited notification of an application made under R7.15.4.1.6.⁵⁷

Assessment Criteria

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

7. Any Subdivision in the Rural-Residential Overlay identified on the Aokautere Structure Plan that does not satisfy R7.15.2.1(f)(iii)(a) shall be a Non-Complying Activity where either:
- (i) the transport assessment required by R7.15.2.1 (f)(iii)(b) has not been undertaken, or
 - (ii) the assessment required by R7.15.2.1 (f)(iii)(b)(ii) predicts that a capacity threshold for one of more of the intersections identified in Table 7A.1 will be exceeded⁵⁸.

R7.15.5 RULES: NOTIFICATION

R7.15.5.1 Notification

- (i) The Manawātū Rifle Rod & Gun Club must be given limited notification of an application made under R7.15.4.1.6, unless written approval has already been provided⁵⁹.
- (ii) Waka Kotahi New Zealand Transport Agency must be given limited notification of an application made under R7.15.4.1.7, unless written approval has already been provided.⁶⁰

⁵⁶ S76.001

⁵⁷ S76.001

⁵⁸ S63.004

⁵⁹ S76.001

⁶⁰ S63.04

Explanation

Council will undertake a comprehensive assessment of subdivision proposals which do not comply with the lot area performance standards specified for a rural production lot or a rural residential lot. The rural area contains large areas of high quality production land and versatile soils which are an important natural and physical resource and finite. Hence specific plan provisions are required to ensure that subdivision of rural land and buildings is carried out in a sustainable manner. Historic

trends with subdivision show that there is inappropriate rural land fragmentation and that a continuation of the current regulatory approach will not protect the rural land resource over the longer term, in terms of retaining the productive capability of rural land and sustainable primary production. While there are many variables that determine the productive capability of a rural landholding, larger lot sizes will help sustain the rural land resource and high-quality soils for use as production land over the longer term, and avoid inappropriate subdivision and land use, particularly for non-rural or residential purposes. The minimum lot area of 20 hectares is considered suitable as a rural production lot and is capable of accommodating activities consistent with those anticipated within the Rural Zone. Undersized rural blocks will generally be approved where there is no loss of the productive capability of land and versatile soils are protected, where significant adverse effects on the viability of an existing productive use of the land and adjacent land use activities are avoided, and subdivision does not compromise the objectives and policies of the Rural Zone.

Provision of this non-complying activity rule enables Council to evaluate subdivision applications with undersized lots and/or building sites within 1.2km of wind turbines on its merits and set conditions appropriate to its future use and development and to avoid, remedy or mitigate any adverse effects on the environment.

For non-complying rural residential subdivisions and integrated developments, the assessment criteria listed in R7.15.2.1 will be used as a guide.

The Moonshine Valley Rural Residential Area has been identified as a special character area due to its characteristic development pattern and streetscape, the high natural character and amenity values and important ecology and biodiversity. The subdivision lot area specified for Moonshine Valley is to protect these values and ensure lots are appropriately designed to avoid adverse effects on the development character and significant natural values and environmental qualities. Provision of this non-complying activity rule will enable Council to assess any application on its merits and set conditions which are appropriate to ensure any adverse effects on the environment are avoided, remedied or mitigated.

7.16 All Zones

NOTES TO PLAN USERS

It is advised that the applicant contact the appropriate power, telecommunication and gas companies to determine the feasibility of connecting to their services.

7.16.1 RULES: CONTROLLED ACTIVITIES

R7.16.1.1 Any Subdivision for the purpose of accommodating any network utility where the maximum area of the allotment does not exceed 200m² is a controlled Activity in respect of:

- The size, shape and arrangement of the lot and access.
- Those matters described in Sections 106, 108 and 220 of the Resource Management Act 1991, provided the network utility concerned is a Permitted Activity or resource consent has been granted.

7.16.2 RULES: RESTRICTED DISCRETIONARY ACTIVITIES

R7.16.2.1 Any Subdivision within a Flood Prone Area identified on the Planning Maps is a Restricted Discretionary Activity, with regard to:

- Flood Hazard Avoidance or Mitigation
- Functional Necessity
- The matters described in sections 108 and 220 of the Resource Management Act 1991
- Effects on adjoining properties from the displacement of floodwaters

Provided it complies with the following Performance Standard:

Performance Standard

(a) Flood Hazard Avoidance or Mitigation

Compliance with Restricted Discretionary Activity Performance Standards of R22.6.2.1 (a) and (b).

Determination Clause

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 Natural Hazard objectives and policies, assess any application in terms of the following assessment criteria:

Assessment Criteria

(a) Flood Hazard Avoidance or Mitigation

- i. The extent to which flood hazard avoidance has been investigated as a preference to flood hazard mitigation;
- ii. The extent to which any more than minor adverse effects on the effectiveness of existing flood hazard avoidance or mitigation measures, including works and structures within River and Drainage Schemes operated by the Manawatu-Wanganui Regional Council, natural landforms that protect against inundation, and overland stormwater flow paths, are avoided;
- iii. The extent to which adverse effects on existing structures and activities are avoided or mitigated;
- iv. The likelihood and consequences of the proposed flood hazard mitigation measures failing;
- v. The consequential effects of meeting the requirements of R22.6.2.1 Performance Standard (b), above, including but not limited to landscape and natural character and urban design, and the displacement of floodwaters onto adjoining properties;
- vi. The proposed ownership of, and responsibility for maintenance of, the flood hazard mitigation measures including the appropriateness and certainty of the maintenance regime.

(b) Functional Necessity

- i. The extent to which alternative locations for new occupied structures or activities have been considered;
- ii. The extent to which new habitable structures or activities cannot be reasonably located in an alternative location;
- iii. The extent to which there is a functional necessity to locate habitable structures or activities within a Flood Prone Area.

NOTES TO PLAN USERS

- 1 Subdivision of land within a Flood Prone Area, identified on planning Maps must be undertaken in accordance with Section 22 - Natural Hazards. Land use and development can only be undertaken in accordance with R22.6.
- 2 When considering applications for resource consent, the Council will have particular regard to expert flood hazard advice provided by Horizons

R7.16.2.2 Any Subdivision within the National Grid Subdivision Corridor

Any Subdivision within the National Grid Corridor identified on the Planning Maps shall be a Restricted Discretionary Activity where it complies with the performance standard below.

Council shall restrict its discretion to consideration of the following matters to:

- The size, shape and arrangement of lots, cross lease and company lease areas, units and access
- Those matters described in Sections 108 and 220 of the Resource Management Act 1991
- Effects on and from the National Grid, including provision for the on-going operation, maintenance, development, and planned upgrade of the National Grid, and access to the National Grid
- Whether the design and construction of the subdivision allows for earthworks, and future buildings and structures to be situated in a complying position and an ability to comply with the safe separation distance requirements of the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001)
- The risk of electrical hazards affecting public or individual safety, and the risk of property damage
- Technical advice provided by the operator of the National Grid
- The nature and location of any vegetation to be planted in the vicinity of National Grid Lines.

Provided it complies with the following Performance Standard:

Performance Standard

- (a) Every allotment shall be capable of containing within its net site area a building platform for a principal building which is located entirely outside of the National Grid Yard.

Explanation

R7.16.2.2 seeks to promote the design of subdivisions and land use development in a manner that enables the efficient use of land around transmission lines without introducing sensitive activities or structures that would inhibit the operation, access, maintenance or upgrade of the National Grid, including any support structures.

NOTES TO PLAN USERS

1. In order to establish safe clearance distances, consultation with Transpower NZ may be necessary.
2. Rules relating to earthworks activities within the National Grid Yard are set out in Section 6 – General Rules (Earthworks) of the District Plan, and the National Grid Subdivision Corridor is defined in Section 4- Definitions.

R7.16.2.3 Any Subdivision in proximity to a National Grid Substation

Any Subdivision within 100m of the Turitea (Linton) National Grid Substation and 25m of the Bunnythorpe National Grid Substation is a Restricted Discretionary Activity, with regard to:

- The extent to which the subdivision may adversely affect the efficient operation, maintenance, upgrading and development of the substation;
- The extent to which the proposed subdivision design and layout enables appropriate separation distances between future sensitive activities, development and the substation;
- Technical advice provided by the National Grid Operator
- Location, height, scale, orientation and use of the proposed building platform or structure as it relates to the National Grid

- Any other measures proposed to avoid or mitigate potential adverse effects, including reverse sensitivity effects, on the substation.

NOTES TO PLAN USERS

- In addition to the above, all activities (whether listed or not) located under or adjacent to transmission lines must comply with the New Zealand Electrical Code for Electrical Safe Distances (NZECP34:2001) and Electricity (Hazards from Trees) Regulations 2003. Compliance with the District Plan does not ensure compliance with the Code.

Explanation

R7.16.2.2 seeks to promote the design of subdivisions and land use development in a manner that enables the efficient use of land around substations without introducing sensitive activities or structures that would inhibit the operation, access, maintenance or upgrade of the substation.

Non-Notification

- No subdivision application under R7.16.2.3 is required to be publicly notified.
- Transpower New Zealand Ltd. will be considered an affected party unless written approval from them is provided.

R7.16.2.4 Subdivision Requiring Access onto a State Highway or a Limited Access Road

Any subdivision that creates one or more allotments requiring vehicular or foot access to a road identified in 20.6.1.6 of the Land Transport Section as a State Highway or a Limited Access Road is a Restricted Discretionary Activity where:

- The subdivision complies with the Performance Standards for Controlled Activity subdivisions of the relevant zone; and
- The subdivision is not otherwise and Discretionary on Non-Complying Activity Subdivision.

The Council restricts its discretion to the consideration of the following matters:

- The approval of New Zealand Transport Agency, as road controlling authority for State Highways and Limited Access Roads; or the Palmerston North City Council for any Limited Access Roads not controlled by New Zealand Transport Agency.
- The safe and efficient function of State Highways and Limited Access Roads.
- Location and design of access onto the State Highway network or Limited Access Road.
- Whether alternative legal access to public road exists.

R7.16.2.5 Subdivision of an allotment containing a scheduled Historic Heritage Item identified in Appendix 17A and sites identified in Appendix 17B

Any subdivision of an allotment that contains a Building or Object of Cultural Heritage Value, as set out in Appendix 17A of the Plan, or that contains an Object or Site of Cultural Heritage Value to Tangata Whenua, as set out in Appendix 17B of the Plan is a discretionary Restricted Discretionary Activity.

The Council will restrict its discretion to the following matters:

- The location and design of lots.
- The effects of the proposed subdivision on the heritage values of the listed building, object or site.
- The protection and conservation of the heritage item, or surroundings or curtilage associated with the heritage item or historic site.

7.16.3 RULES: NON-COMPLYING ACTIVITIES

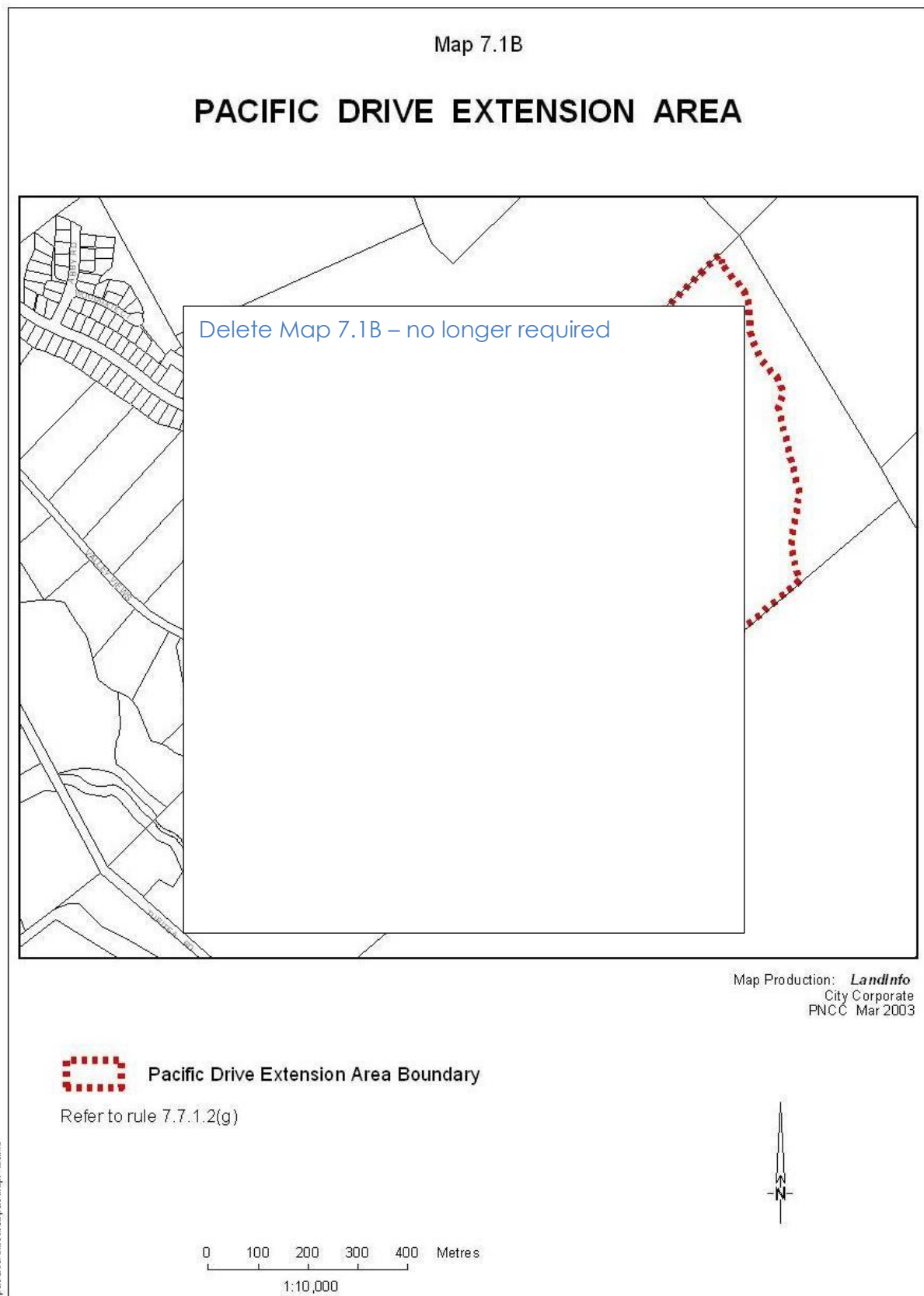
R7.16.3.1 Any Subdivision that Does Not Comply with the Performance Standard of R7.16.2.2, shall be a Non-Complying Activity

Notification

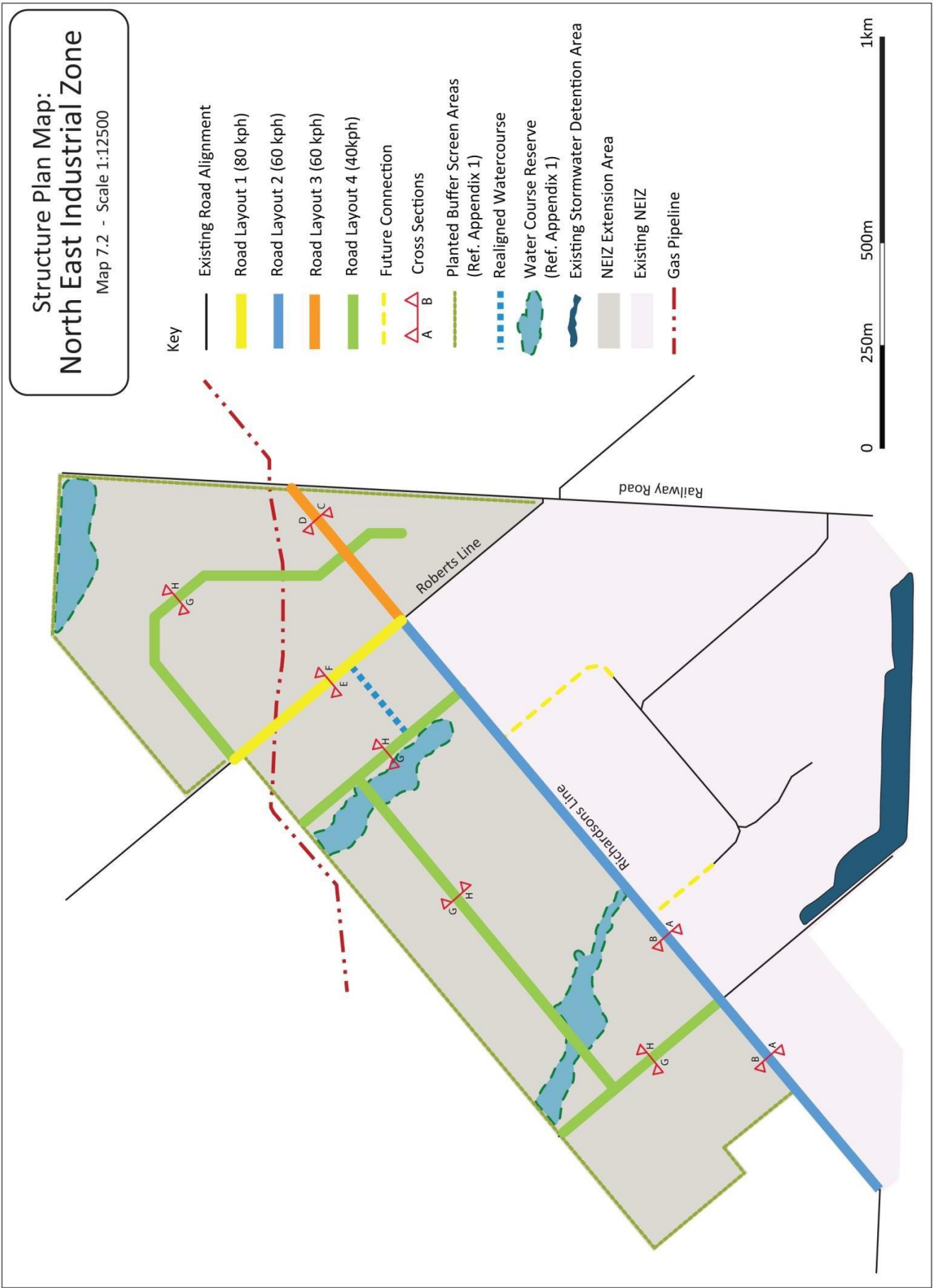
For the purposes of notification, Transpower New Zealand Ltd shall be an affected person.

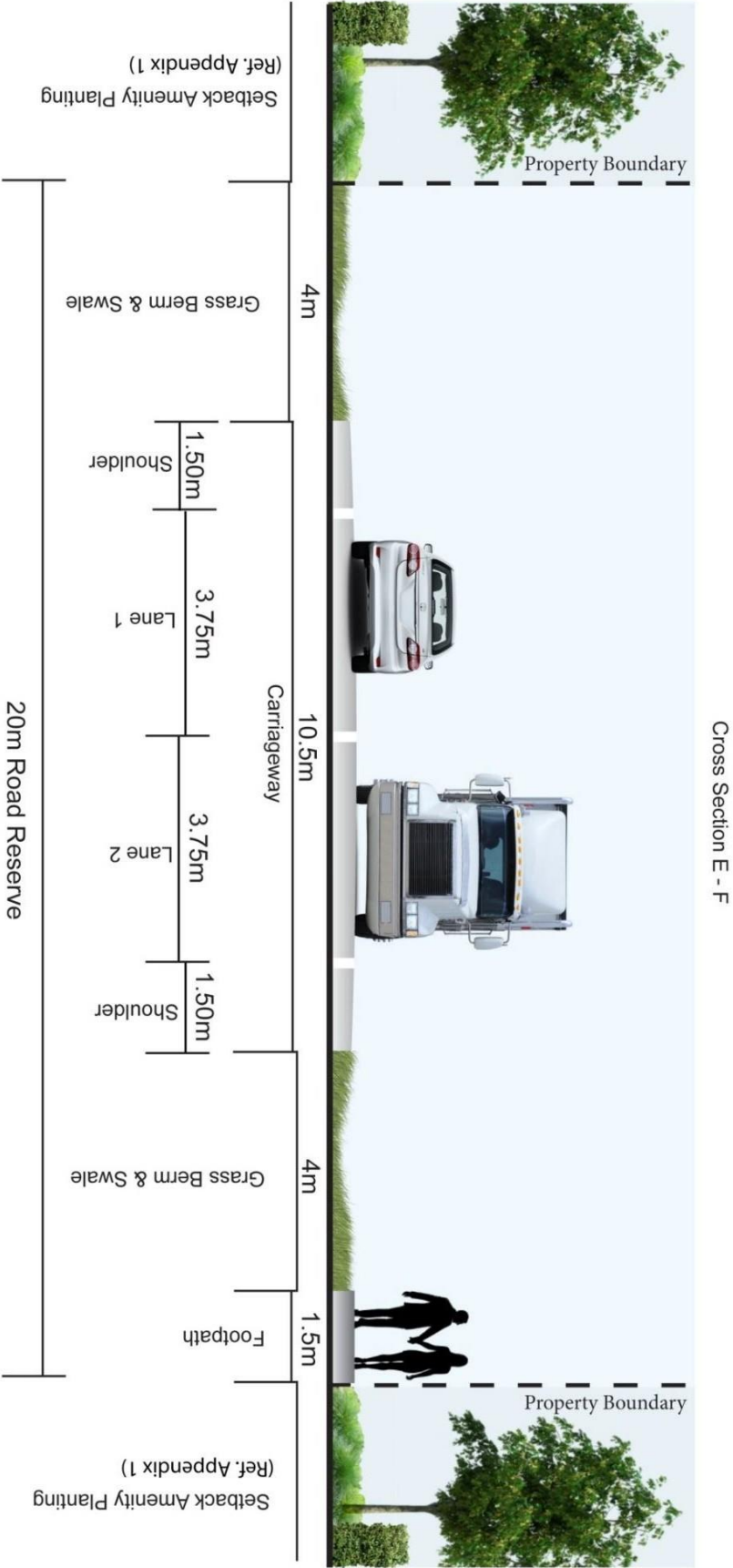
Map 7.1B

Pacific Drive Extension Area



Map 7.2 North East Industrial Zone

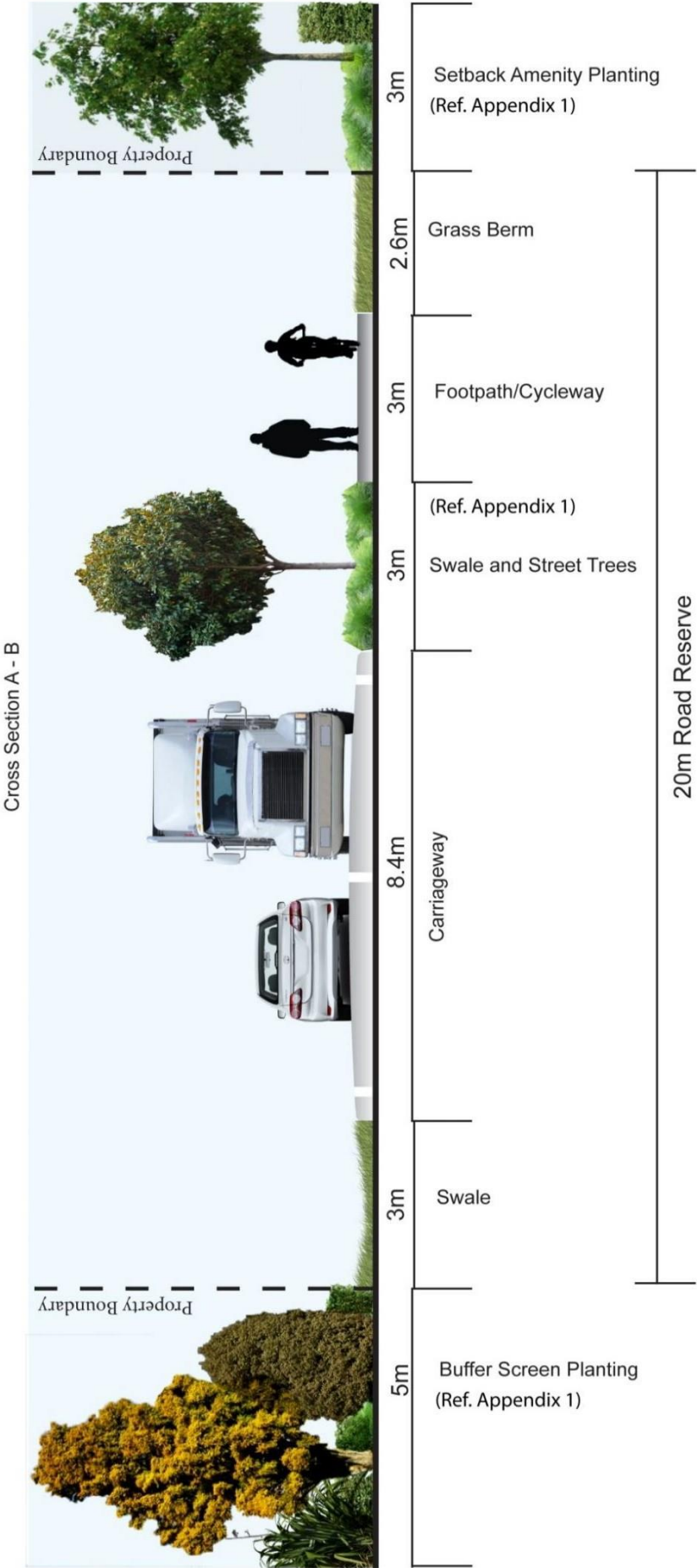




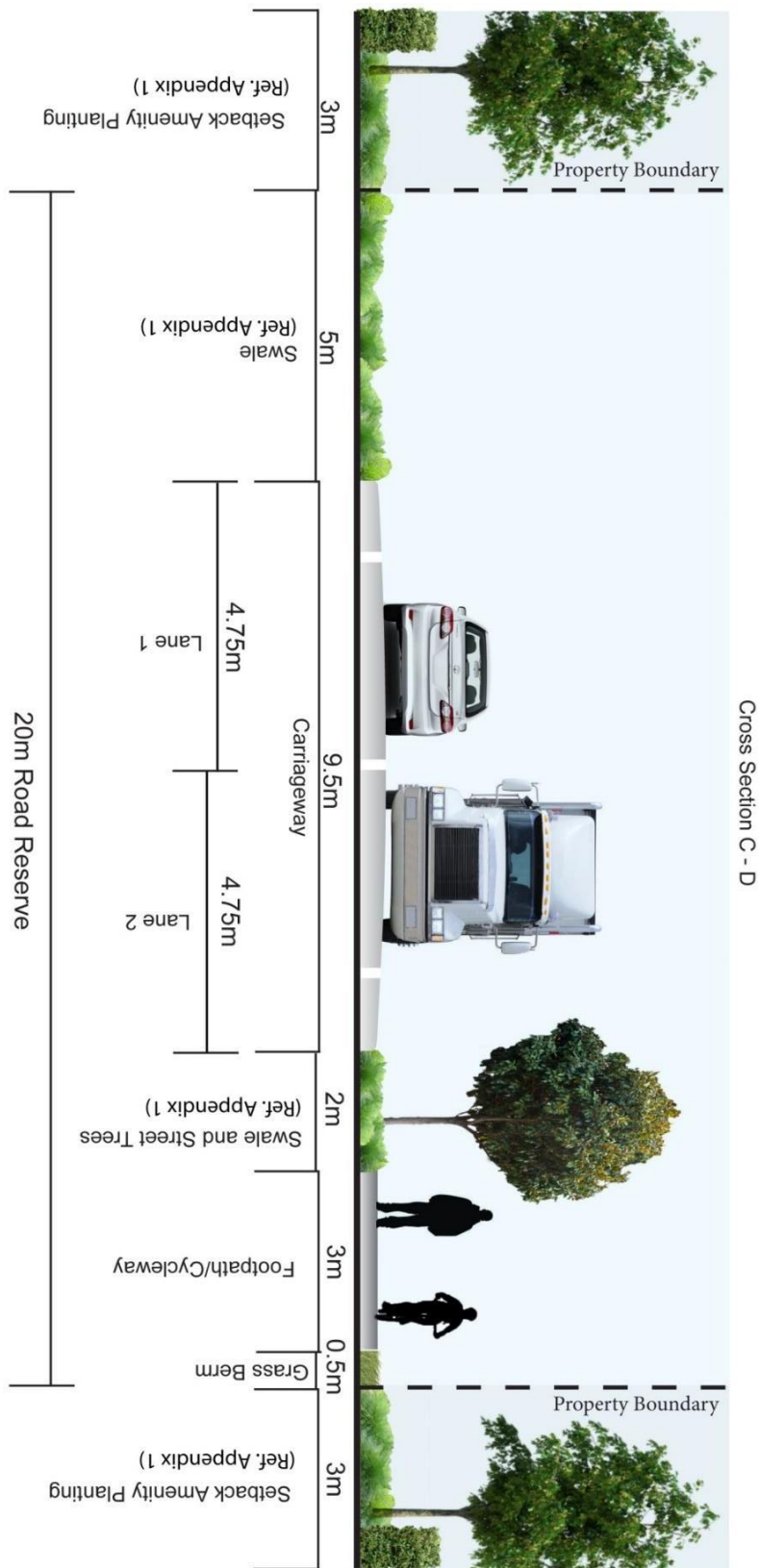
Structure Plan Cross Section:
Road Layout 1

Structure Plan Cross Section: Road Layout 1

Structure Plan Cross Section:
Road Layout 2



Structure Plan Cross Section: Road Layout 2



Structure Plan Cross Section:
Road Layout 3

Structure Plan Cross Section: Road Layout 3

Structure Plan Cross Section: Road Layout 4

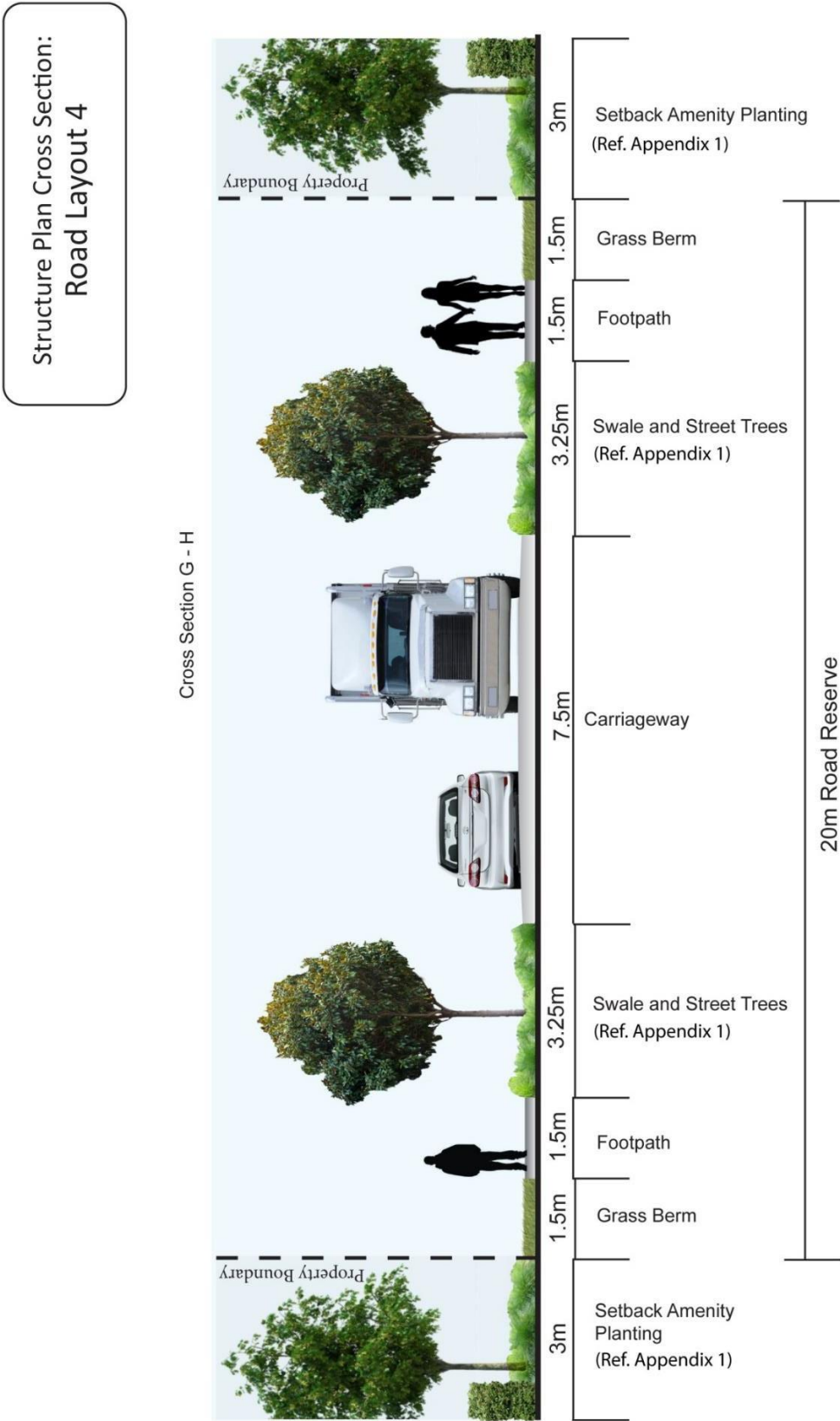


Diagram 7.3A Example of Public Service Corridor Provision

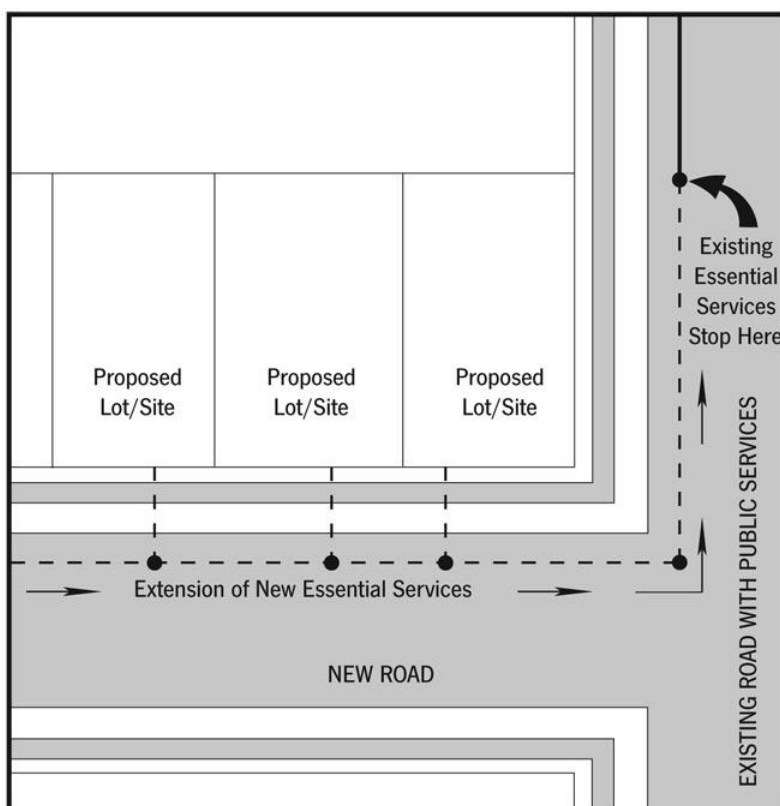
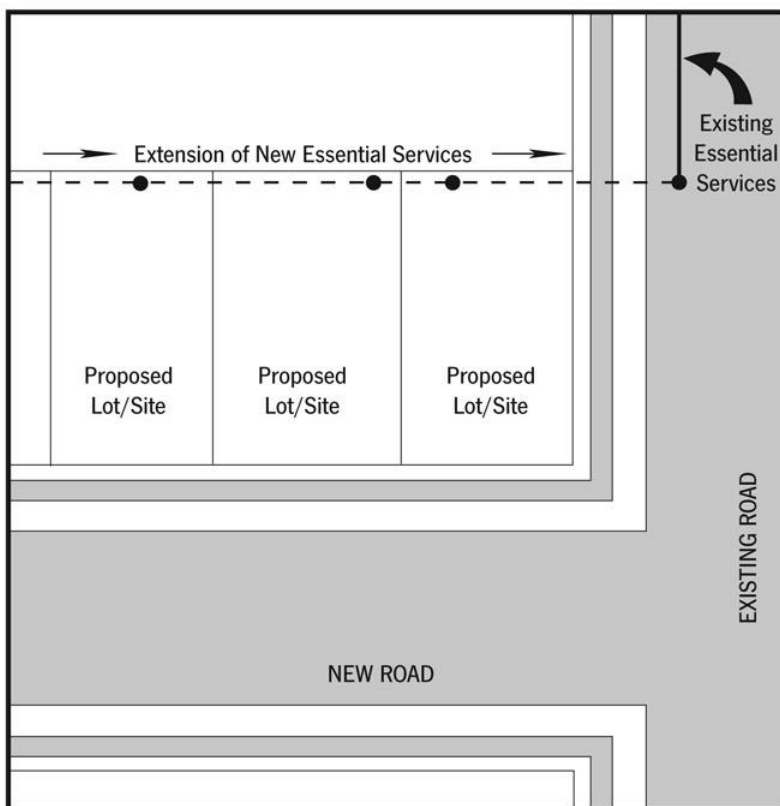
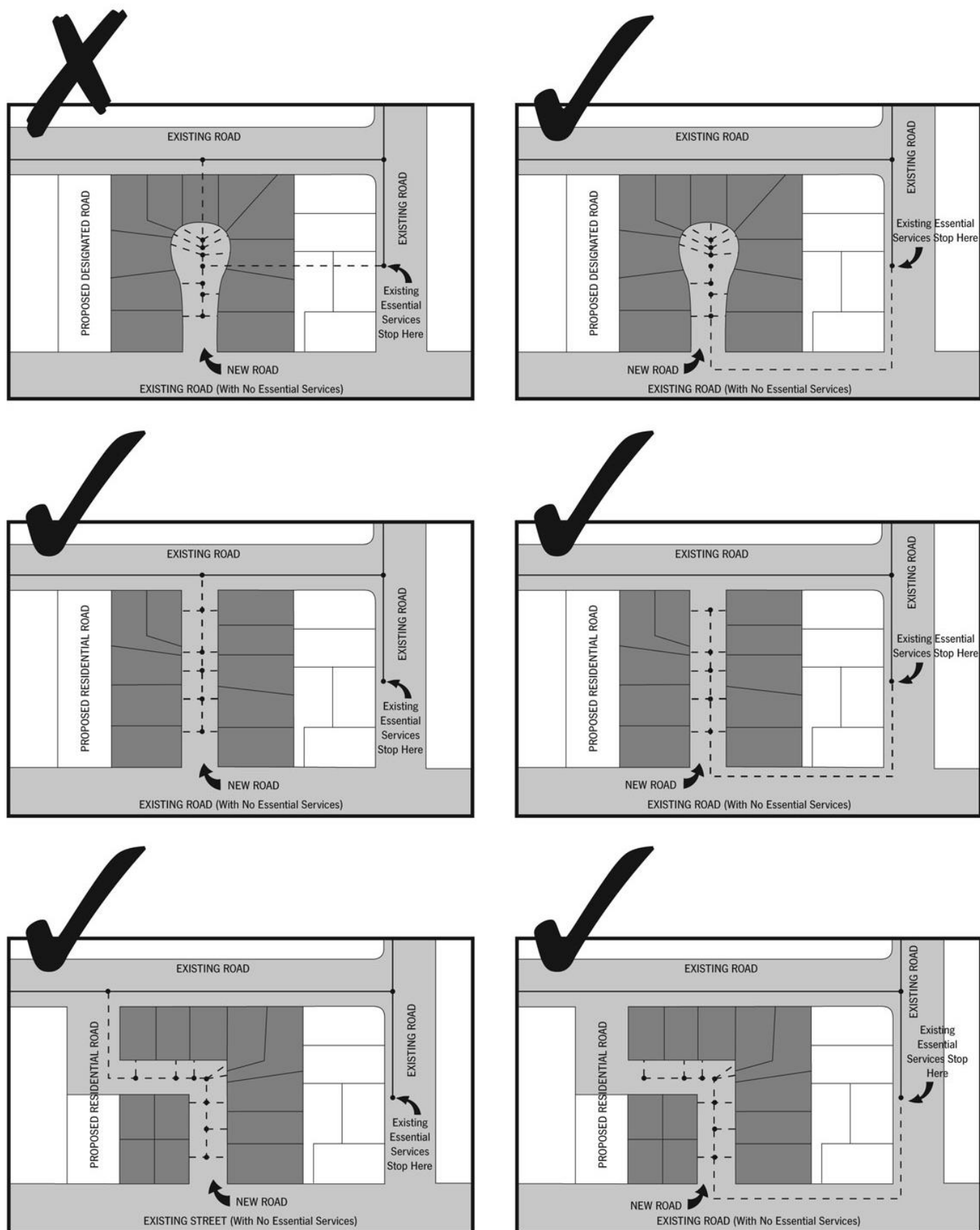
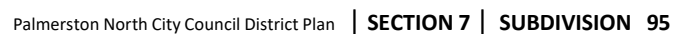


Diagram 7.3B Example of Public Service Corridor Provision

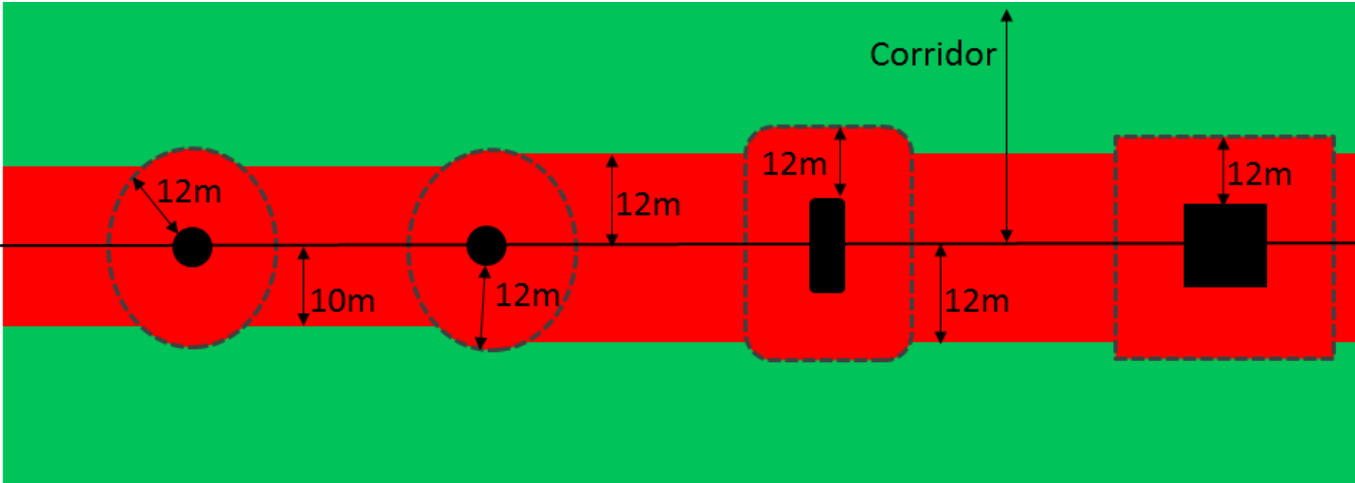









Map 7.4 Midhurst Street Industrial Area



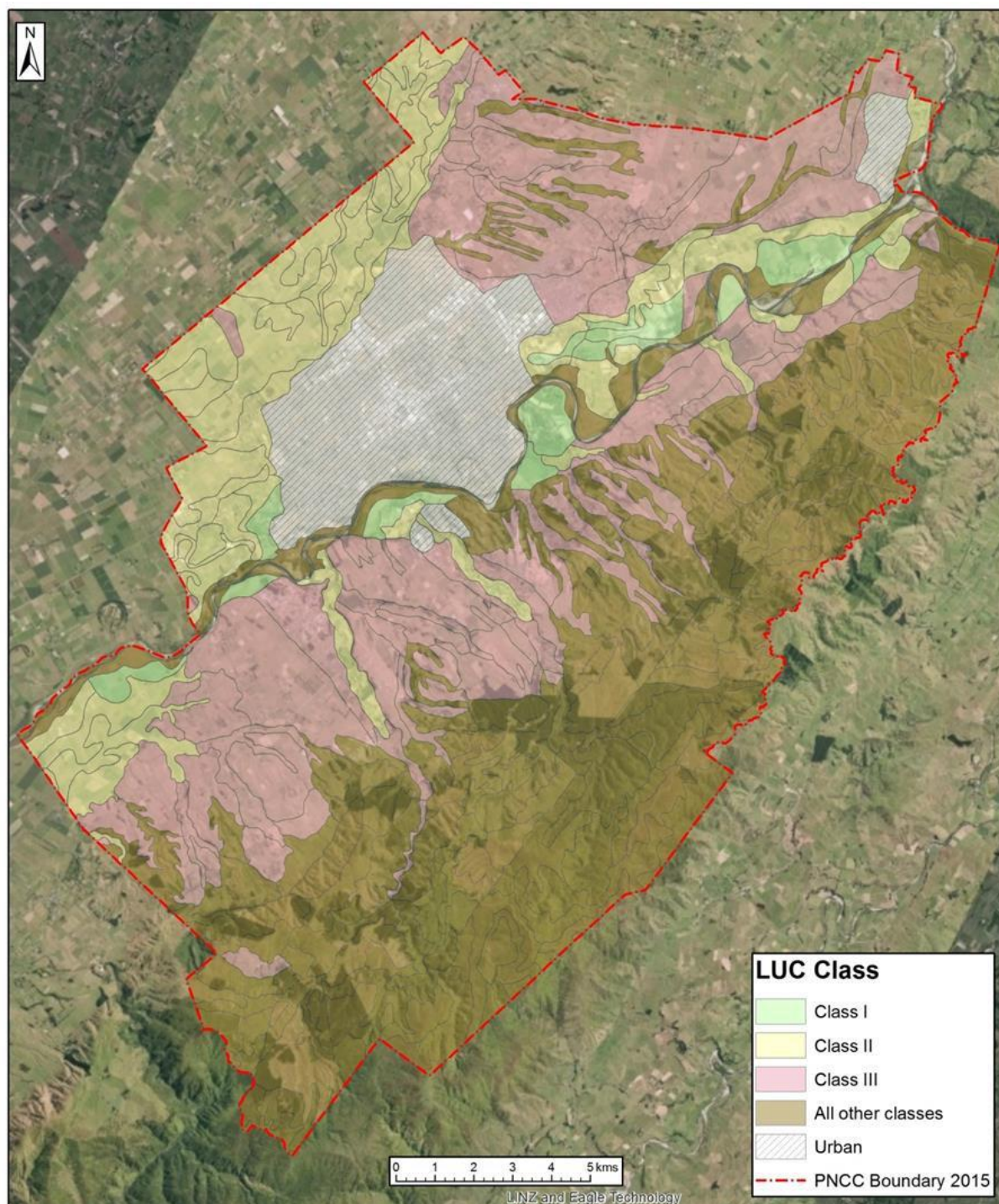
Explanatory Diagram National Grid



LEGEND

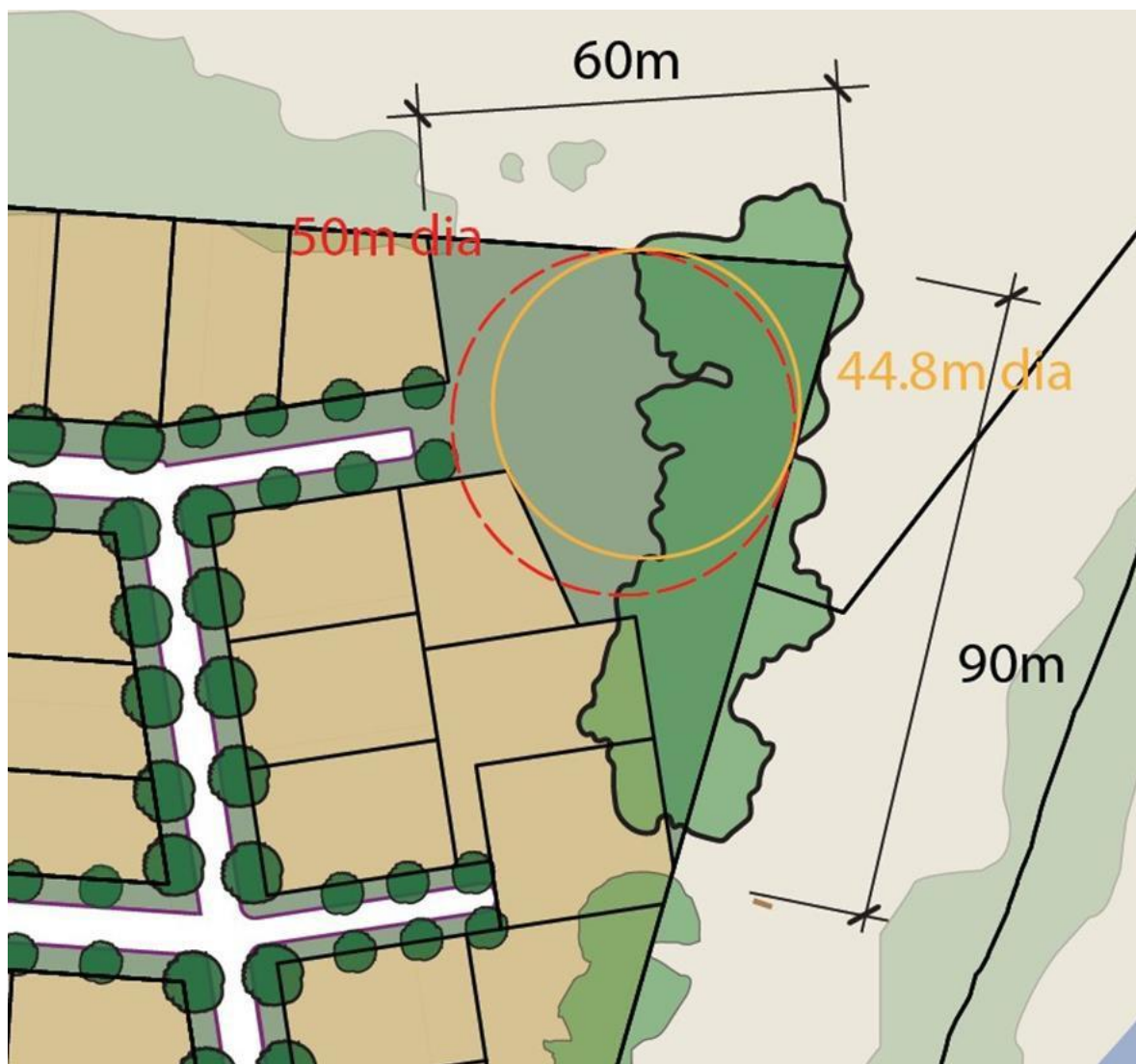
- Not to scale
-  National Grid Yard
 -  Centreline
 -  Single Pole
 -  Pi Pole
 -  Tower

Map 7.6 Spatial Extent of Class 1, 2 and 3 Soils in Palmerston North

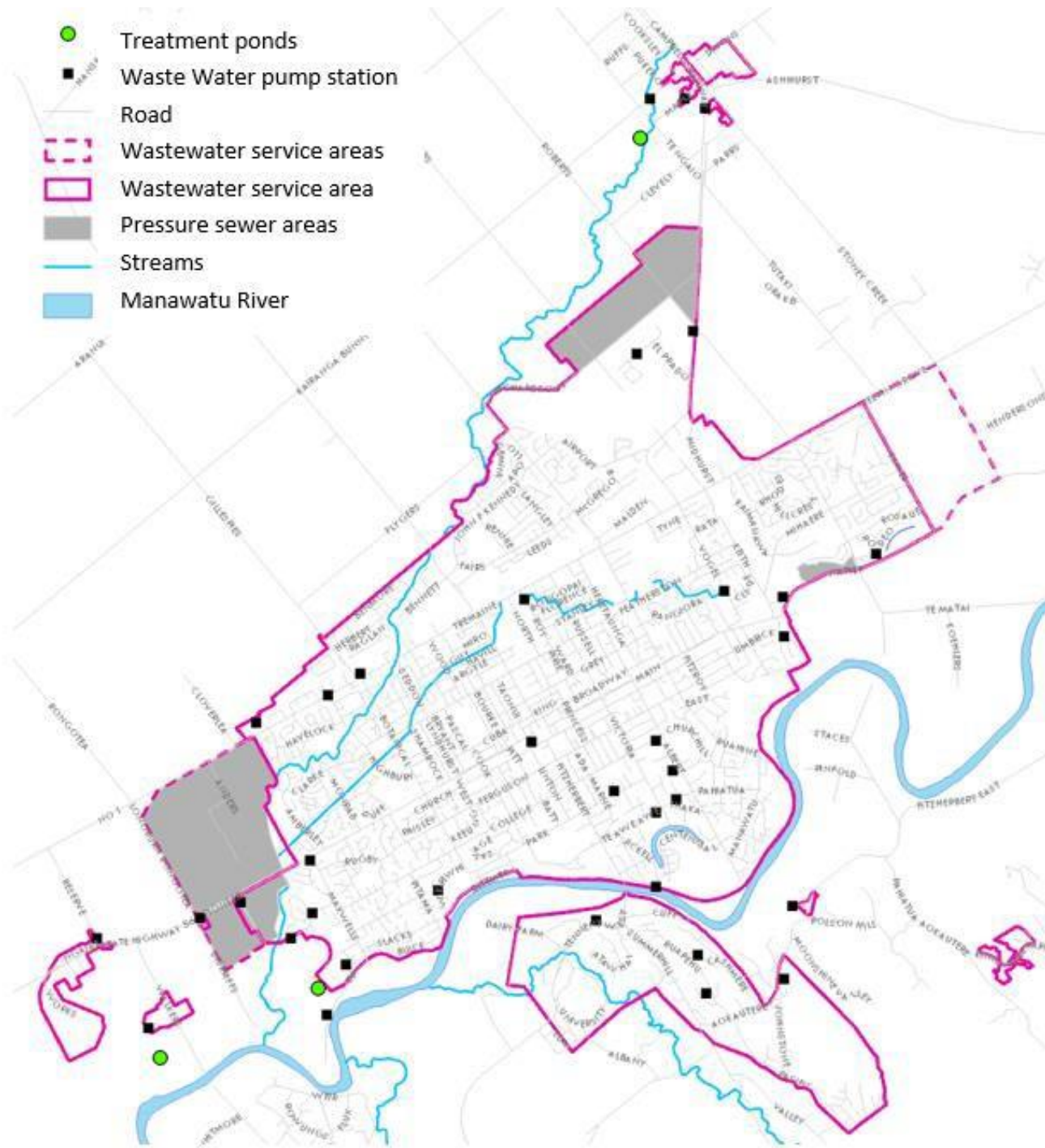




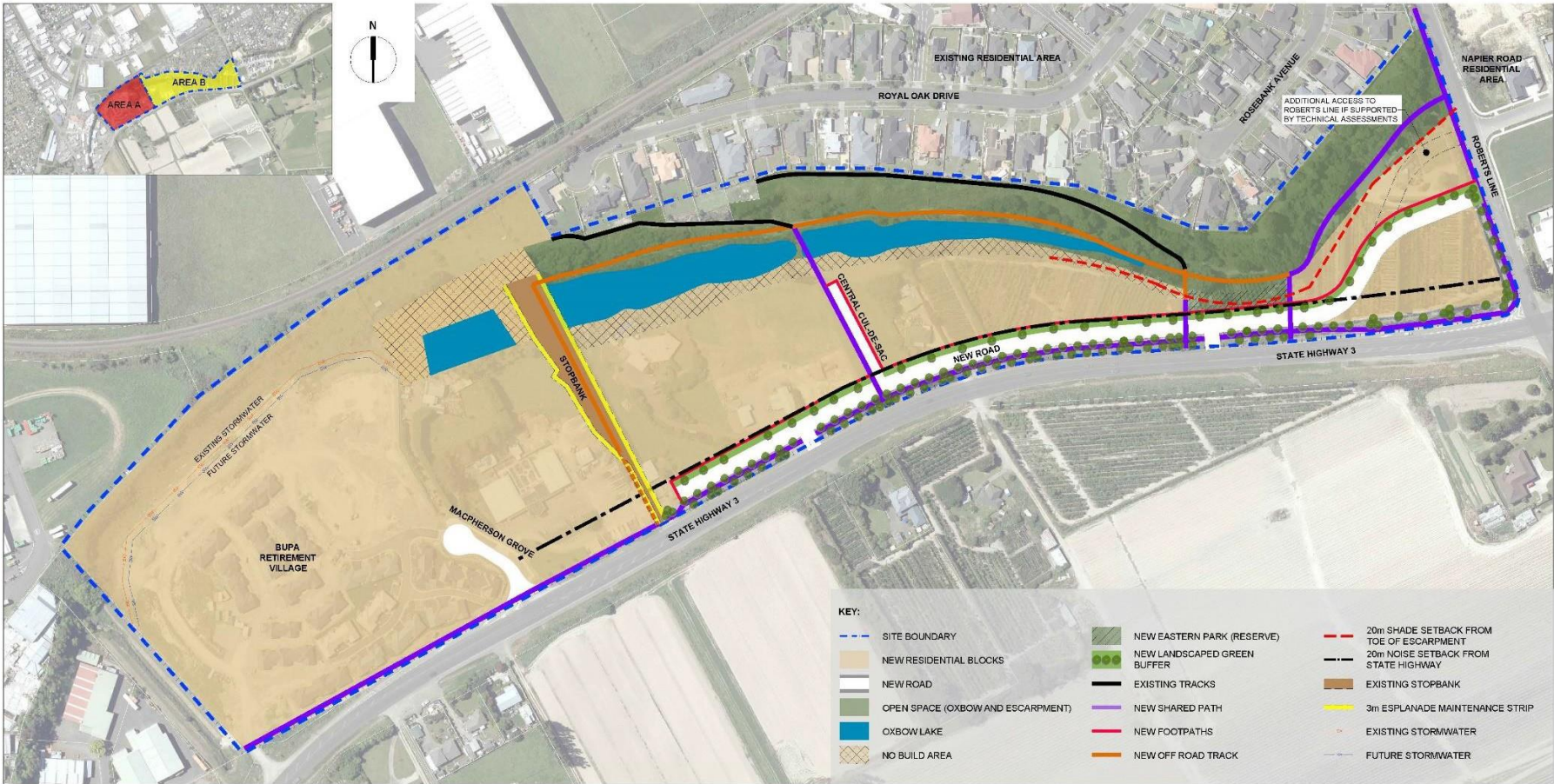
Map 7.7.2.7 Ruahine Reserve Dimension



Map 7.8 Pressure Sewer System Areas

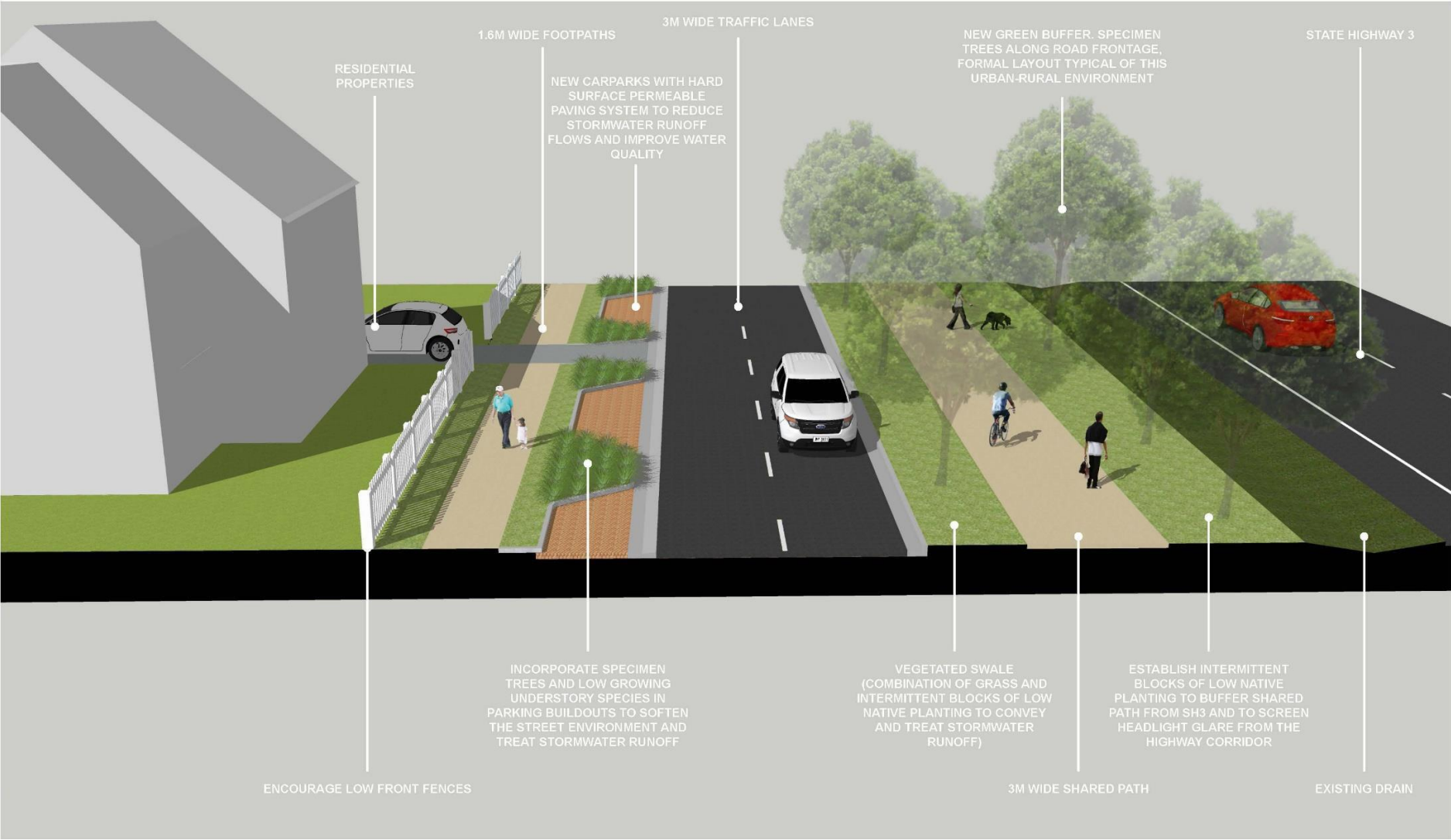


Map 7.9 Napier Road Residential Extension Area Structure Plan





Map 7.9a Napier Road Residential Extension Area Road Cross Section



SECTION 7A:

GREENFIELD

RESIDENTIAL AREAS

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7A. GREENFIELD RESIDENTIAL AREAS

7A.1 Introduction

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

This section enables greenfield development within:

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

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

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

7A.2 Resource Management Issues

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

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

¹ S50.025

10. The effects of residential development within the Aokautere Greenfield Residential Area² on the natural environment including gully networks and landform, landscapes, and indigenous biodiversity and ecological values.

7A.3 Objectives and Policies

Introduction

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

OBJECTIVE 1

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

POLICIES

- 1.1 To ensure that subdivision and development proceeds in a manner that provides for a logical, planned and integrated extension of the urban boundary within the Greenfield Residential Areas that have been specifically identified as suitable for that purpose and that achieves high quality urban design outcomes.
- 1.2 To ensure that subdivision and development is undertaken in general accordance with the area's relevant Structure Plan including setting aside at the earliest stage of subdivision those areas identified in the Structure Plan as public open space ~~or conservation and amenity areas~~³.
- 1.3 To require a Comprehensive Development Plan at each stage of development to ensure that the subdivision design, layout and servicing is in general accordance with the Structure Plan, ~~has regard to the environmental constraints of the site~~,⁴ and does not restrict future development opportunities.
- 1.4 **Within the Aokautere Structure Plan area To⁵ ensure adequate provision of Eessential Sservices to a level and within a timeframe that will enable development that is appropriate to its location and intended use. including water, wastewater and stormwater supply, telecommunications services and electricity services.**⁶
- 1.5 (~~1.4~~)To ensure that all new lots have safe and adequate vehicle access from the roading network.
- 1.6 (~~1.5~~)To require a safe interconnected transport network that provides a variety of routes for walking, cycling, passenger transport and motor vehicles.
- 1.7 (~~1.6~~)To control the use of cul-de-sacs within the local roading network.
- 1.8 (~~1.7~~)To provide for the installation of pressure sewer systems in Pressure Sewer Areas.

² S51.007, S77.001

³ S51.019, S51.007, S51.134

⁴ S51.020, S51.007, S51.134

⁵ S51.021, S51.007, S51.134

⁶ S50.025

Explanation

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

OBJECTIVE 2

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

POLICIES

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

- have sufficient road frontage so that users are visible to the public
- isare located to ensure ready access by all users, ~~and~~
- isare designed to create a high-quality environment and community focal point, and
- are of a type and scale compatible with any relevant Structure Plan⁷.

2.6 To control the development of land near roads and the railway line to ensure noise from transport infrastructure does not cause adverse effects on the amenity of noise sensitive activities, and that subdivision design prevents adverse impacts on the efficient use of roads and railway lines.

2.7 To ensure that subdivision in the Kikiwhenua Residential Area:

- Responds positively to and minimizes adverse effects on identified waahi tapu sites
- Facilitates pedestrian and cycle connections to the Longburn Shared Pathway and Manawatu Bridle Track
- Ensures any significant areas, such as Kikiwhenua, urupa, and current Rangitāne owned land are protected and safe public access to those areas are facilitated
- Creates a high amenity interface between the Kikiwhenua Residential Area, Pioneer Highway, Mangaone Stream, and Te Wanaka Road
- Public open space design is site specific, responding to vegetation and cultural significance.

OBJECTIVE 3

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

POLICIES

3.1 To control the subdivision of land that is affected by natural hazards and to ensure that any necessary mitigation measures are in place prior to development.

3.2 To improve land utilization to safeguard people, property and the environment from the adverse effects of unstable land by ensuring that:

- Disturbance to the natural land form, existing vegetation and habitats, natural drainage and significant natural features is minimised.
- Each lot is designed in a manner that ensures:
 - (i) technically appropriate building platforms exist
 - (ii) foundations are designed and implemented to mitigate risk associated with subsurface conditions
 - (iii) sites are identified where roading and access is suitable for its intended use/activities.
- Earthworks are to be designed and constructed to:
 - (i) provide safe and adequate building platforms and foundation for roads and services

⁷ S51.022

- (ii) provide for the adequate control of stormwater
- (iii) prevent erosion and instability
- (iv) remain safe and stable for the duration of the intended land use
- (v) not necessarily rely on artificial or human-built structures for stability; and where such structures are employed these shall remain safe and stable for the duration of the intended land use
- (vi) avoid contamination of groundwater and surface water, ~~and~~
- (vii) avoid or mitigate the diversion of ground water flows.
- Earthworks and the re-contouring of land are to be the subject of specific design by a chartered professional engineer experienced in soil mechanics or geotechnical matters and shall take into account the predicted improvements to soil slope and stability which will be achieved and the impact on existing vegetation and landscape values.

3.3 **Earthworks and development⁸ in the Aokautere Greenfield Residential Area avoid adverse effects on the gully network.**

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

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

- **an assessment has been completed by an accredited Chartered Professional Engineer experienced in soil mechanics or geotechnical matters is completed before subdivision to confirming the land is suitable for development and there are technically appropriate building platforms;**
- **any measures required to implement recommendations from any technical reports to achieve land stability (including setbacks from areas of geotechnical risk), manage liquefaction or lateral spread and/or manage other natural hazards are imposed through registration of consent notices on the title and implemented prior to issuing s224 certificates in advance of development⁹; and**
- **there will be no new or exacerbated natural hazards due to the proposed subdivision or development.¹⁰**

OBJECTIVE 4

Stormwater management in the Greenfield Residential Areas is carried out in an integrated manner and, within the Aokautere Greenfield Residential Area, which avoids more than minor does not result in adverse effects on the environment¹¹.

POLICIES

- 4.1 To have stormwater management measures in place in advance of residential development.
- 4.2 To demonstrate an integrated approach to the provision of stormwater management that recognises the capacity of existing systems and natural drainage patterns.

⁸ S77.001, S39.007, S49.004

⁹ S51.013, S51.014, S51.015, S51.017

¹⁰ S94.001, S83.005

¹¹ S51.025, S77.008, S34.001, S17.001, S30.001, S41.008, S39.007

- 4.3 To **encourage require** the use of Water Sensitive Design wherever appropriate.
- 4.4 To ensure stormwater management contributes to the recreational and visual amenity of the development **and the surrounding area**.
- 4.5 To ensure the design of stormwater infrastructure and management of stormwater runoff from the Kikiwhenua Residential Area avoids or substantially mitigates adverse effects on people, property (including the development potential of surrounding land for future urban growth), infrastructure and the natural environment, and utilises where reasonably practicable the Mangaone Stream Catchment for discharge of runoff.
- 4.6 ~~To efficiently manage stormwater by utilising and integrating the road, open space and gully network for stormwater management within the Aokautere Residential Area including the provision of adequate space to safely accommodate detention ponds and infrastructure.¹²~~ To design and manage development and stormwater infrastructure in the Aokautere Greenfield Residential Area to avoid more than minor adverse effects of stormwater discharges on the gully network, including its associated landscape, amenity, cultural and indigenous biodiversity values.¹³
- 4.7 ¹⁴~~To ensure the design of stormwater infrastructure in the Aokautere Greenfield Residential Area and is designed to manage ment of stormwater run-off from the Aokautere Greenfield Residential Area demonstrates in compliance with meet the following requirements design criteria, as demonstrated through a Stormwater Management Plan provided as part of a Comprehensive Development Plan:~~
- ~~Control of stormwater runoff peak flows to historic pre-residential development conditions levels for the 50% 2 year, 20% 5 year, 10% 10 year, 5% 20 year, 2% 50 year and 1% 100 year AEP ARI¹⁵ events, to control minimise flood and erosion risk¹⁶,~~
 - ~~Incorporate with capacity to accommodate climate change in accordance with the Palmerston North City Council Engineering Standards for Land Development;¹⁷~~
 - ~~Further control of post development peak flows as needed to match the pre-development erosion threshold exceedance cumulative effective work index in the Aokautere Church Stream, Moonshine Valley Reserve Stream, and Tutukiwi Reserve Stream~~
 - ~~Treatment of the 90th percentile rainfall volume from impervious developed areas through a stormwater treatment device or multi-device system.~~
 - ~~Control post development peak flows such that:~~
 - i. ~~they match the pre-residential development erosion threshold exceedance cumulative effective work index in the Aokautere Church Stream, Moonshine Valley Reserve Stream, and Tutukiwi Reserve Stream as shown on the Aokautere Structure Plan; and~~
 - ii. ~~post development peak flows do not exceed pre-residential development levels for the 50% through to 1% AEP design storm events.¹⁸~~
 - ~~Achieve\$ tTreatment of the 90th percentile rainfall volume from impervious developed areas through a stormwater treatment device or multi-device system.~~

¹² \$58.014, \$51.028

¹³ \$77.001, \$77.008, \$77.009, \$39.007, \$34.001, \$17.001, \$30.001, \$41.008

¹⁴ This policy should be reordered and renumbered as Policy 4.8 in the final version.

¹⁵ \$60.002

¹⁶ \$39.008

¹⁷ \$39.007

¹⁸ \$78.001, \$60.005

- Provide a perimeter stormwater swale and associated utility corridor along the gully edges and the stormwater detention ponds in a manner consistent with Policies 4.10 and 4.11, and¹⁹ in general accordance with the Aokautere Structure Plan (Map 7A.4).
- Provide stormwater detention ponds in a manner consistent with the Aokautere Structure Plan and Policy 5.1B²⁰.

4.8 To require the design and management of stormwater to incorporate the stormwater management areas and stormwater ponds shown on the Aokautere Structure Plan.²¹

4.9 ²²To ensure the design of subdivision and development to manage stormwater and water quality in the Aokautere Greenfield Residential Area, the design of subdivision and development:

- Effectively integrates water sensitive design for management of run-off quantity and quality
- Provides stormwater detention²³ facilities to mitigate flood and erosion risk while also utilising open space in a manner which creates a high level of amenity
- Achieves hydraulic neutrality, which for the purpose of the Aokautere Residential Area is defined as the control of post-development peak flows to pre-development levels for the 2-year through 100-year ARI design storm events²⁴
- Avoids overland discharges down the gully slopes
- Minimises impervious surfaces to reduce stormwater run-off
- Retains historic pre-residential development hydrological conditions as far as practicable
- Avoids or substantially mitigates adverse effects on people, property, infrastructure and the natural environment.²⁵

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

- in general accordance with Figure 7A.1;
- to intercept, collect and convey overland flows from adjacent residential properties and any contributing flows from upstream catchments;
- taking into account any site-specific geotechnical advice;
- to convey stormwater flows to identified discharge points and to protect gully slopes from erosion;
- to accommodate the 1% AEP flows, with capacity to accommodate climate change in accordance with the Palmerston North City Council Engineering

¹⁹ \$50.025, \$58.057

²⁰ \$51.029, \$77.010, \$50.025

²¹ \$50.025

²² This policy should be relocated and renumbered as Policy 4.7 in the final version.

²³ \$50.025

²⁴ \$50.025

²⁵ \$51.031

Standards for Land Development:

- **to enable continuous access and maintenance:**
- **to so that it minimises the trimming or removal of indigenous vegetation to avoid loss, damage, or disruption to the high scenic, amenity and indigenous biodiversity values associated with the gully network.²⁶**

4.11 The stormwater swale required by Policy 4.10 must either:

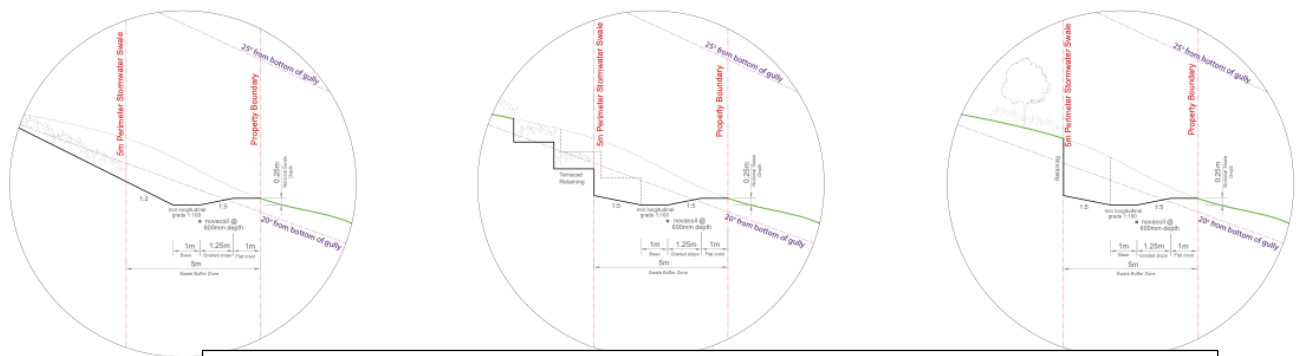
- **be vested in Council; or**
- **be located within a residential lot, in which case:**
 - a) **it must be located within a 5-metre utility corridor that is up to 5 metres wide²⁷, as shown in Figure 7A.1; and**
 - b) **a consent notice recording the existence of the 5-metre utility corridor and the following requirements for use and management of the specified area must be imposed on the title at the time of subdivision to ensure the ongoing functionality of the swales:**
 - (i) **no structures, including fences, shall be constructed or placed;**
 - (ii) **no planting, landscaping or earthworks may be undertaken;**
 - (iii) **no other activities or actions that obstruct or impact on the operation or maintenance of the swale may be undertaken;**
 - (iv) **the Council must be provided with unrestricted access to maintain and manage the swale²⁸.**

²⁶ S51.093, S51.099, S51.102

²⁷ S51.093

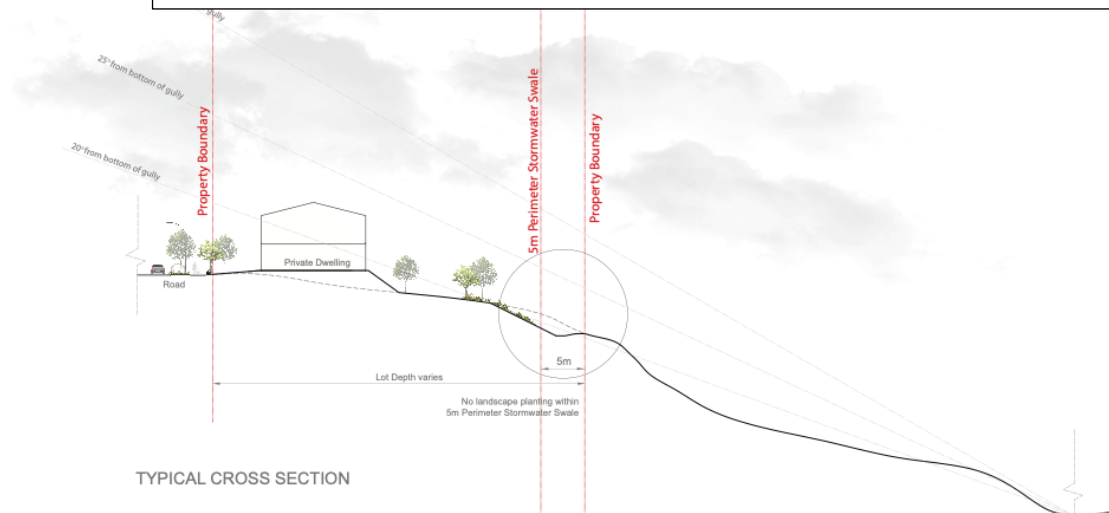
²⁸ S51.093, S51.099, S51.102

CROSS-SECTION OPTIONS - STORM WATER SWALE



OPTION 1

Delete and insert replacement Figure 7A.1



TYPICAL CROSS SECTION

CROSS-SECTION EXAMPLES - STORM WATER SWALE

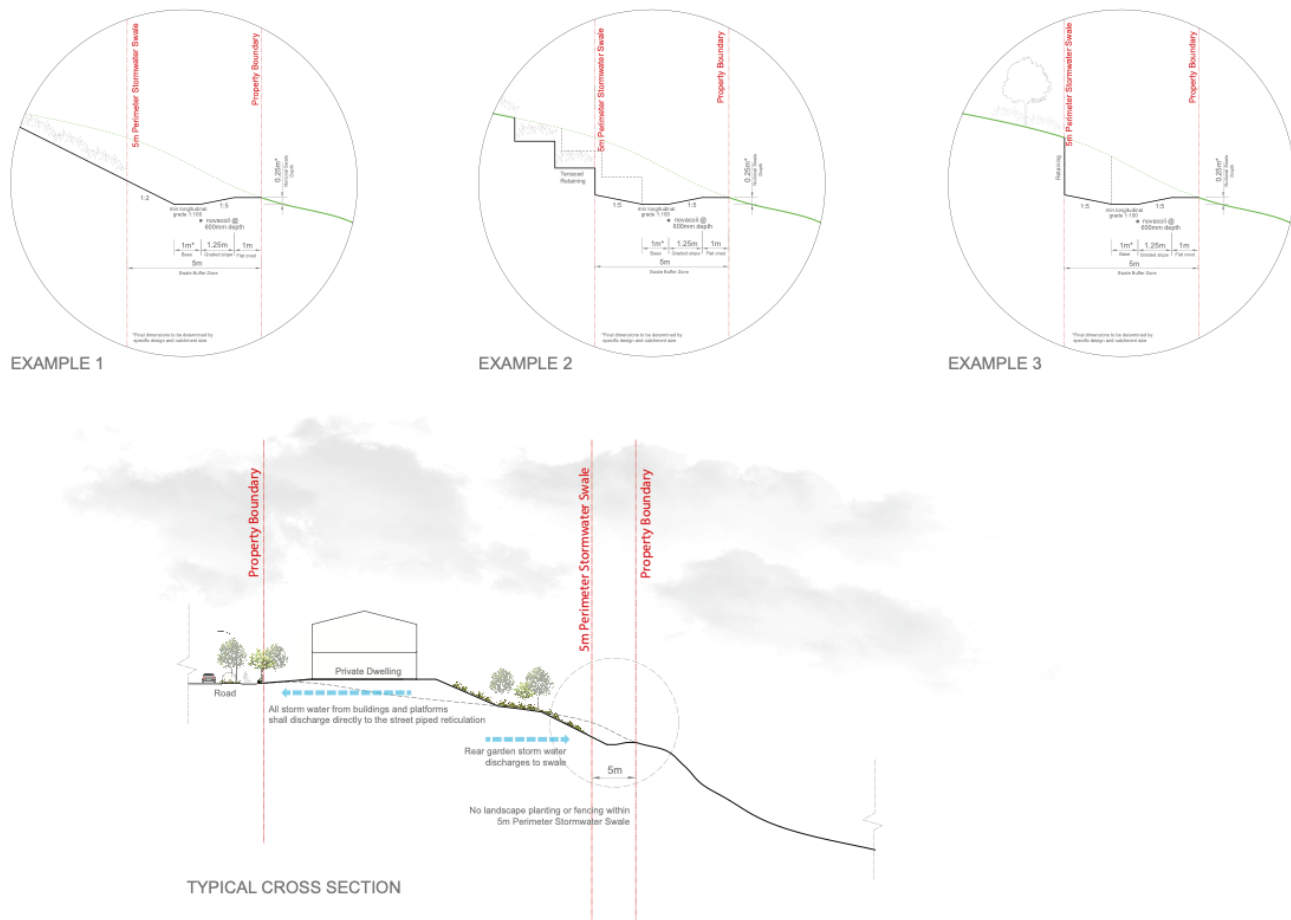


Figure 7A.1

OBJECTIVE 5

Subdivision in the Aokautere Greenfield Residential Area provides for comprehensively designed development incorporating a range of residential areas with high-quality and diverse living environments with a mix of housing densities²⁹, which are integrated with surrounding communities, landscape and natural gully systems, and supported by a local centre capable of meeting the day to day needs of the immediate neighbourhood

POLICIES

5.1 To ensure subdivision layout and design includes the fixed Structure Plan elements (which are identified on Maps 7A.4, 7A.4A, 7A.4B, 7A.4C and 7A.4D) in the manner shown on is in general accordance with the Aokautere Structure Plan. Fixed Structure Plan elements must be in general accordance with the Aokautere Structure Plan.³⁰

5.1A To ensure subdivision layout and design provides for the Aokautere Structure Plan elements that are not fixed. The elements must be provided in a manner that is consistent with the Aokautere Structure Plan but their location, extent and design may

²⁹ \$77.003, \$27.002

³⁰ \$50.025

vary from that shown on the Structure Plan, provided the development outcomes in the objectives and policies in Sections 7, 7A, 10, 11.10 and 15.5 are met³¹.

5.1B Stormwater detention ponds must be provided and should generally be located as shown on the Aokautere Structure Plan. If an alternative location or design is proposed for a stormwater detention pond, it must:

- be resilient to the effects of climate change and avoid increasing natural hazard risks on people, property or the environment;
- reflect any geotechnical constraints and be sited in accordance with geotechnical advice;
- avoid ecologically sensitive areas, including areas of indigenous vegetation and wetlands;
- take into account safety in design, including through construction, operation and decommissioning;
- provide for ease of access and ongoing maintenance;
- manage adverse effects on visual amenity; and
- meet the stormwater management requirements in Policy 4.7³².

5.2 To ensure subdivision does not occur without an approved Comprehensive Development Plan.

5.3 To ensure subdivision layout and development in the Aokautere Greenfield Residential Area:

- Provides neighbourhoods with regular lot patterns and with a sufficient range of lot sizes to encourage diversity in the types of houses to be built
- Achieves a ~~lot size and a~~ housing density of 25 dwellings per hectare or denser in the Medium Density Village Area³³
- Reflects the intended neighbourhood character shown on the Aokautere Structure Plan (Map 7A.4B) ³⁴
- Varies lot size and housing density to reflect the proximity of amenities including open spaces and any Local Business Zone
- Contributes to the achievement of any identified residential yield requirements over time.

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

- ~~Connectivity with existing and future developments in a manner which is responsive to landform and the proximity of any local centre~~
- Makes Aokautere's elevated and incised terrain visible and accessible to the public, including through:
 - ☐ streets that provide views of the gullies and the wider landscape,
 - ☐ public access to a network of cycleways and recreational trails; and
 - ☐ linear access to the gully reserves with residential lots on

³¹ S50.025, S51.008, S58.057

³² S51.029, S77.010, S50.025

³³ S77.003, S77.005, S77.013, S27.002

³⁴ S51.035

one side only.³⁵

- Varies the arrangement of streets, lots and dwellings in response to gullies, plateaus and promontories; and retains key views along identified corridors
 - Clustered development on elevated sites at the plateau ends, with neighbouring sites separated with areas of restored vegetation
 - Minimises the number of rear lots;
 - Ensures that medium-density residential areas have good access to amenity and associated public or communal areas with significant vegetation
 - Ensures that development on the plateaus:
 - Retains natural or near-natural contours;
 - Includes single-loaded gully edge streets that provide:
 - views of the gullies and the wider landscape;
 - public access to a network of cycleways and recreational trails; and
 - linear access to the gully reserves with residential lots on one side only frontage on the edges of the reserves.
 - Forms a well-connected, accessible and permeable urban block structure to maximise connectivity and provide road access from two directions for most households.
 - as shown on the Aokautere Structure Plan.
 - Ensures that development on the promontories:
 - a. Clusters lots and arranges buildings and roads to:
 - i. frame views of the gully reserves; and
 - ii. create well-defined communal spaces at the plateau ends
 - b. Utilises central communal spaces to:
 - i. provide safe, attractive cul-de-sac terminations; and
 - ii. indicate provide legible and integrated public access to recreational trails. ³⁶
- 5.5 To ensure a neighbourhood centre is located in the area identified on the Aokautere Structure Plan and developed in **general**³⁷ accordance with the Aokautere Neighbourhood Centre Precinct Plan (Map 7A.3C).
- 5.6 To provide an adequate level of infrastructure and services for the proposed development.³⁸
- 5.7 To ensure the capacity, efficiency, **and performance, and sustainability** of the wider **infrastructure** transport network is not compromised³⁹.
- 5.8 To ensure that the design and layout of any subdivision and development provides for the transport network roads identified on the Aokautere Structure Plan in a manner which:
- Achieves an accessible and permeable grid like pattern of development as shown

³⁵ S58.008

³⁶ S51.036, S58.020, 51.044

³⁷ S51.008

³⁸ S50.025

³⁹ S63.04

~~on the Aokautere Structure Plan;⁴⁰ is in general accordance with the Structure Plan in terms of provision, location~~

- ~~Delivers a safe, legible and efficient effective movement network which conforms to the One Network Framework and is consistent with reflects⁴¹ Aokautere's the street layout, street hierarchy, of street types (Map 7A.4D3A) and street cross-sections (Map 7A.4D1-15) in the Aokautere Structure Plan.⁴²~~
- ~~Avoids or minimises adverse effects on the safe and efficient operation, maintenance and access to network utilities and the transport network⁴³.~~
- ~~Encourages active travel modes and provides for circuits of varying length for walking, jogging and cycling.~~
- ~~Provides Urban Connector roads with sufficient width and horizontal and vertical alignments to safely accommodate bus routes and facilitate convenient bus stops, including to facilitate access to the Aokautere Neighbourhood Centre.⁴⁴~~
- ~~Provides sufficient access, and enables efficient movement throughout the transport network, for emergency service vehicles.⁴⁵~~
- ~~Produces a fine-grained network of streets that provide:~~
 - c. ~~permeable and connected neighbourhoods;~~
 - d. ~~a choice of pathways; and~~
 - e. ~~access from two directions for most households.~~
- ~~Complements the street network with a web of trails in the gully reserves.~~
- ~~Provides circuits of varying length for walking, jogging and cycling.~~
- ~~Encourages active travel modes.⁴⁶~~

~~5.9 To a~~**Avoid subdivision and development occurring in advance of the completion availability** of operational transport infrastructure the transport network upgrades identified in Table 7A.1 and 7A.2, including those outside of the Aokautere Structure Plan area, that are necessary to provide for a safe and efficient transport network, unless it can be demonstrated that there is sufficient existing capacity in the transport network to accommodate the predicted traffic volumes.⁴⁷

~~5.10 To require consent notices recording the restrictions on development set out in R7A.5.2.2(h), (iii)–(iv) and or (v) to be imposed on titles at the time of subdivision.⁴⁸~~

~~5.11 To avoid subdivision where significant adverse effects on the transport network are likely to occur⁴⁹.~~

~~5.12 To require a highly connected street layout which integrates with the surrounding transport network and includes pedestrian access, cycleways and recreational trails which link to open space corridors.⁵⁰~~

⁴⁰ S51.040, S58.022

⁴¹ S50.025, S51.008, S58.057

⁴² S51.008, S51.007

⁴³ S63.04

⁴⁴ S60.008

⁴⁵ S33.006

⁴⁶ S50.025

⁴⁷ S63.04

⁴⁸ S63.004

⁴⁹ S63.04

⁵⁰ S50.025, 51.044

5.13 To provide a high-quality public realm with improved visual and physical connections to open space, waterways, existing biodiversity corridors and natural gully systems.⁵¹

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

5.15 To ensure stormwater management contributes to the recreational and visual amenity of the development.⁵²

⁵¹ S77.003, S51.045

⁵² S58.024, S50.025

OBJECTIVE 6

The [indigenous biodiversity](#), natural values and ecological function of the gully system and natural features in the Aokautere Greenfield Residential Area [are maintained and protected from inappropriate subdivision, use and development](#)⁵³

POLICIES

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

~~(a) Within the 5 metre no-build setback avoid structures, landscaping and earthworks, to ensure the functionality of the swales; while~~⁵⁴

6.1 To minimize the trimming or removal of indigenous vegetation to avoid loss, damage, or disruption to the high scenic, amenity and indigenous biodiversity values associated with the gully network.⁵⁵

6.2 To avoid adverse effects of subdivision and development on the gully network, [including on its associated landscape, amenity, cultural and indigenous biodiversity values, other areas of indigenous biodiversity significant natural areas](#), and wetlands in Aokautere.⁵⁶

6.3 To ensure that any measures used to manage the risks of natural hazards do not have significant adverse effects on the [natural](#) environment.⁵⁷

6.4 To ensure subdivision and development contribute to the [maintenance](#), protection, restoration, and enhancement of natural features, [indigenous biodiversity](#) and water quality ~~through effective stormwater management systems.~~⁵⁸

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

~~(a) Will receive stormwater from the development; or~~

~~(b) Will be contiguous with the land to be developed; or~~

~~(c) Is intended to accommodate stormwater infrastructure that is to be constructed and maintained by the Council.~~⁵⁹

6.6 To require subdivision to create conservation lots for the protection of [areas of significant indigenous biodiversity natural areas](#) and wetlands.⁶⁰

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

⁵³ S77.001, S77.015

⁵⁴ S50.025

⁵⁵ S77.001

⁵⁶ S77.001, S77.002

⁵⁷ S77.022, S34.001, S17.001, S30.001, S41.008, S39.007

⁵⁸ S77.001, S77.023

⁵⁹ S45.010, S45.011, S61.001

⁶⁰ S77.025, S77.005

7A.4 Methods

General

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

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

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

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

To inform development in accordance with the Aokautere Structure Plan, Council has prepared the Aokautere Masterplan, which includes the Stormwater Management Strategy. While the Masterplan has no statutory weight it can, and will, be taken into account by Council and other decision-makers when considering proposals under the District Plan and should inform applications within the Aokautere Greenfield Residential Area. The Stormwater Management Strategy is intended to provide context for the development of Stormwater Management Plans and assist with implementing the stormwater management approach for the Aokautere Greenfield Residential Area set out in Policies 4.7 to 4.11⁶¹.

7A.5 Residential Zone

Introduction

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

7A.5.1 RULES: CONTROLLED ACTIVITIES

R7A.5.1.1 Controlled Activities

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

R7A.5.1.2 Performance Standards for Controlled Activities

- (a) Lot Size

⁶¹ S77.001, S77.002, S93.003.

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

(b) Balance lot size

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

(c) Access

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

(d) Servicing

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

7A.5.2 RULES: RESTRICTED DISCRETIONARY ACTIVITIES

R7A.5.2.1 Restricted Discretionary Activities

1. Any subdivision in a Greenfield Residential Area which is not a Controlled Activity, and any cross lease, company lease or unit title subdivision creating allotments requiring vehicular or foot access to a road listed in 20.6.1.6 of the Land Transport Section as a State Highway or a Limited Access Road is a Restricted Discretionary Activity with regard to:
 - a. The size, shape and arrangement of roads, public open spaces, lots, cross lease and company lease areas, units and access
 - b. Those matters described in Sections 108 and 220 of the Resource Management Act 1991
 - c. ~~The extent to which the ss~~ subdivision and development ~~is design and layout,~~ **provision for local services and public open space**⁶² in general accordance with the relevant Structure Plan for the area
 - d. Urban design
 - e. Landscaping
 - f. Noise attenuation and management
 - g. Enhancement and management of surface water flows and overland flow paths
 - h. Integration of essential services
 - i. Natural hazards
 - j. Future development opportunities
 - k. Visual amenity
 - l. Effects on the capacity of Council infrastructure
 - m. Safe and efficient operation of the roading network
 - n. **Available capacity in the intersections identified in Table 7A.1 and 7A.2**⁶³
 - o. Connectivity
 - p. Outdoor/on-site amenity
 - q. Infrastructure and physical resources of regional or national importance
 - r. Hydraulic Neutrality with regards to stormwater runoff

⁶² S51.058, S51.007, S51.134

⁶³ S63.04

- s. **Effects of Earthworks within the Aokautere Structure Plan area**⁶⁴
- t. **Effects on the gully network within the Aokautere Structure Plan area**⁶⁵
- u. **Effects on Cultural Values within the Aokautere Structure Plan area**⁶⁶
- v. **Within the Aokautere Structure Plan area the extent to which the subdivision and development is in general accordance with the Aokautere Structure Plan**⁶⁷
- w. **Stormwater management in the Aokautere Structure Plan area**⁶⁸

NOTE TO PLAN USERS R7A.5.2.1 ~~(e)~~(r)

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

NOTE TO PLAN USERS R7A.5.2.1 and R7A.5.2.2

Rule R7A.5.2.1 and R7A.5.2.2 applies to all zones within the Aokautere Greenfield Residential Area shown on the Aokautere Structure Plan Map 7A.4.

For the purposes of the Aokautere Greenfield Residential Area 'hydraulic neutrality' means limiting peak stormwater runoff rates (allowing for climate change) to no greater than would have occurred at historic pre-residential development levels (assuming historic rainfall data, i.e. without adjustments for climate change) for a site (circa the year 2000).

Map 10.1A maps land within the Aokautere Structure Plan Area which has been classified as either Developable or Limited Developable Land according to the corresponding slope stability hazard. The plotted 20 degree and 30 degree lines represent the position of a 20 degree and 30 degree slope set back, relative to the toe or base of the gully slope, accounting for projected future downcutting of stream beds (i.e. the predicted 100 year elevation of the stream bed). The extent of predicted downcutting can be obtained from the Technical Memorandum Stream Erosion Assessment Summary, GHD, dated 22 June 2023 which forms part of the updated Aokautere Stormwater Management Strategy.

R7A.5.2.2 Performance Standards for Restricted Discretionary Activity

(a) Comprehensive Development Plan

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

- (i) total area of the development
- (ii) total number of allotments to be developed
- (iii) programme and time frame from development, including the staging of development in the Residential Area
- (iv) the proposed mix of residential, commercial and recreational activities
- (v) **the need for any land use consents for development within the Aokautere Residential Area, and how those consents will be applied for concurrently with the**

⁶⁴ S51.058, S51.007, S51.134

⁶⁵ S51.058, S51.007, S51.134

⁶⁶ S51.058, S51.007, S51.134

⁶⁷ S51.058, S51.007, S51.134

⁶⁸ S77.002, S39.007, S34.001, S17.001, S30.001, S41.008

subdivision activity or have been approved prior to lodgment of the Comprehensive Development Plan

- (vi) ~~(v)~~ primary and secondary road layouts and pavement widths, including details of how these are in general accordance with the relevant Greenfield Structure Plan
- (vii) streetscape including the location and type of street trees and other proposed planting, **with preferential selection of locally sourced native species within the Aokautere Greenfield Residential Area**⁶⁹
- ~~(viii) connectivity of subdivision with adjoining sites and areas including the nature and staging of development, street and pedestrian access, cycleways and recreational trails which link to open space corridors~~
- ~~(ix) the availability of all operational transport infrastructure necessary for the development and how R7A.5.2.2(h) has been or will be satisfied~~⁷⁰
- (x) ~~(vi)~~ design, shape and location of public open space within the development, including how these are to be managed in the future, including any landscaping or planting corridors,
- (xi) ~~(vii)~~ location of natural watercourses, how these will be incorporated into the subdivision design and managed in the future, and their potential to be integrated into an innovative and/or low-impact stormwater design
- (xii) ~~(viii)~~ proposed walkways and cycleways
- (xiii) ~~(ix)~~ facilities for people with disabilities or special needs, such as shared walkways and disabled parking
- (xiv) infrastructural network servicing requirements, including how the proposed infrastructure will provide for future staged development of the Residential Area
- ~~(xv) within the Aokautere Structure Plan area~~⁷¹ **a Stormwater Management Plan for the entire development (inclusive of all stages and contributing flows from upstream catchments, where relevant) in accordance with R7A.5.2.2(e)(f) or and R7A.5.2.2(f)(g). The Stormwater Management Plan must demonstrate how Water Sensitive Design measures will ensure hydraulic neutrality is achieved through the development and also ensure that there is no increase in stormwater effects, including erosion, on surrounding areas**
- ~~(xvi) within the Aokautere Structure Plan area the location of gullies, wetlands and significant natural features in Aokautere and how they will be protected from effects of subdivision, earthworks and development~~⁷²
- ~~(xvii) within the Aokautere Structure Plan area (Map 7A.4)~~⁷³ **how the subdivision proposal provides for the establishment and maintenance and protection of the perimeter stormwater swale, and including of the associated utility corridor 5 metre**⁷⁴ **no-build setback identified on the Aokautere Structure Plan (Map 7A.3) required by Policy 4.10 and 4.11.**
- ~~(xviii) the intended staging and timing for the vesting of any land and/or assets within the Aokautere Structure Plan area for infrastructure or conservation and amenity purposes~~

⁶⁹ S77.002, S77.030

⁷⁰ S63.04

⁷¹ S51.059, S51.062, S51.007, S51.134

⁷² S51.059, S51.062, S51.007, S51.134, S51.023

⁷³ S51.059, S51.062, S51.007, S51.134

⁷⁴ S51.093

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

- any recommendations as to the design and construction of foundations that are appropriate to mitigate any characteristic or feature identified;
- an assessment on how fill should be placed onto the land based on sub-surface conditions;
- recommendations of the setback for buildings from areas of high natural hazard risk whether building platforms should be restricted and/or specific foundation designs required in certain areas⁷⁵
- any recommendations for development, of Limited Development Developable Land in the Aokautere Structure Plan area (Map 10.1A) having regard to:
 - a walk over inspection of the site and the surrounding land and assessment of local topography;
 - topographic survey (if not already available);
 - a description of the geology and geomorphology of the area;
 - inspection of aerial photographs taken at various times to provide insight into the local geomorphology and evidence of any previous instability or filling;
 - review of geological data (maps, bulletins)
 - enquiry after local information about observed instability or settlement of the ground;
 - investigation of existing data about the soil and rock profile (look for nearby exposures) or performance of simple subsurface investigation;
 - examination of the soil profile to confirm if the soil is in-situ and not colluvium or fill;
 - examination of existing survey records for evidence of slippage or erosion;
 - consideration of any other geotechnical constraints or hazards which could affect the site, including the effect of future stream erosion and downcutting⁷⁶ in the gullies; and
 - an opinion stated by a geotechnical specialist as to the stability and suitability of the land for development, including specifying setbacks if required.⁷⁷
- any recommendations for development of Limited Development Land in the Aokautere Structure Plan area (Map 10.1A) that is identified as Class D or E having regard to the matters identified above, and in addition:

⁷⁵ S50.025

⁷⁶ S34.001, S17.001, S30.001, S41.008, S39.007, S39.008

⁷⁷ S50.025,

- topographic survey (if not already available);
- a description of the geology and geomorphology of the area;⁷⁸
- definition of the nature and continuity of the strata over the whole area of land which is proposed to be developed (buildings, access and services) involved and to a depth below which slipping is most unlikely, by means of test pit and/or drilling and/or augering (unless existing exposures are adequate);
- assessment of the relative strength and the sensitivity of the soil in each stratum in which, or interface on which, sliding is possible; and
- assessment of likely groundwater levels and piezometric pressures in the strata during extreme infiltration conditions.
- within the Aokautere Structure Plan area⁷⁹, an assessment of whether there are areas of uncontrolled fill on the site and if so, recommendations as to development of the land having regard to:
 - a description of the geology and geomorphology of the area.
 - Review of historic information such as aerial photos, anecdotal reports or other records;
 - definition of the nature and continuity of the strata over the whole area of land which is proposed to be developed (buildings, access and services). The depth, spatial extent, strength, variability, and material/s should all be identified and where possible, quantified. Fill materials should be assessed by means of test pit and/or drilling and/or augering;
 - assessment of the relative strength of the fill material and the underlying stratum by means of borehole standard penetration tests, cone penetration tests or scala penetrometers (for shallow soil profiles);
 - assessment of likely groundwater levels and the effects of fluctuating or changing groundwater;
 - an opinion stated by a geotechnical specialist as to the suitability of the land for development, along with recommendations on any mitigation work or foundations that are required; and
 - consideration of any other geotechnical constraints or hazards which could affect the site.
- within the Aokautere Structure Plan area⁸⁰, aAny recommendations as to whether specific design options, engineering methods and/or foundation designs are required in certain areas to mitigate against the risk of geotechnical constraints or hazards, and to locate and design essential services, including stormwater detention ponds⁸¹ and the stormwater perimeter swale required by Policy 4.10 and 4.11;⁸²
- any recommendations as to the necessary remediation of contaminated land;
- a copy of any site investigations including bore logs; and

⁷⁸ S50.025

⁷⁹ S51.059, S51.062, S51.007, S51.134

⁸⁰ S51.059, S51.062, S51.007, S51.134

⁸¹ S34.001, S17.001, S30.001, S41.008, S39.007

⁸² S77.001, S92.002

- a certificate from the engineer or other qualified person confirming that the analysis undertaken is in accordance with professional standards, appropriate to the risks identified and of sufficient quality in order to be relied upon as a comprehensive hazard assessment.
- (xx) **within the Aokautere Structure Plan area⁸³ an earthworks plan identifying any restructuring of land, earthworks, or other works to create land with improved slope and soil stability necessary to enable the development of house sites, essential services, and access ways in the Aokautere Structure Plan area. The earthworks plan must provide for management of archaeological discoveries including how tangata whenua involvement and cultural monitoring will be accommodated. The earthworks plan shall also have regard to how:**
- **adverse effects on the gully network will be avoided;**
 - **any other adverse effects arising from the proposed restructuring works will be avoided, remedied, or mitigated; and**
 - **the proposed restructuring works avoid, remedy, or mitigate any land stability natural hazard.⁸⁴**
- (xxi) a report from a hydraulic engineer identifying the characteristics of the land including potential avulsion or inundation and the likely risks that those features or characteristics present for the land and its future use. This report must also contain any recommendation as to the location, design and construction of foundations that are appropriate to mitigate any characteristic or feature identified. A copy of any site investigations including bore logs must accompany the report. The report must also demonstrate how the proposed Water Sensitive Design measures will ensure hydraulic neutrality is achieved and ensure that there is no increase in stormwater effects on surrounding areas.
- (xxii) an urban design statement from a registered architect, landscape architect, or qualified urban designer to explain how the proposed subdivision design relates to the site, its surroundings, and how it creates a high amenity living environment, sense of place, and contributes positively to the local neighbourhood. The urban design statement shall include:
- a context analysis describing how the planning anticipates staged development and/or future growth, including how the development relates to neighbouring sites and areas;
 - **in the Aokautere Greenfield Residential Area, how the proposed subdivision design creates lots, building platforms and provides screening through landscaping to address adverse effects from visual intrusion of buildings and structures on existing residential dwellings in the Moonshine Valley; ⁸⁵**
 - the rationale for site planning and design decisions; and
 - how the planning and design of the proposed subdivision relates to the relevant objectives and policies of the District Plan.
- (xxiii) how the proposed road layout and design ensures connectivity to property **including adjoining developments, and roads, and open spaces⁸⁶** that have been developed or have the potential to be developed in the future. Design matters

⁸³ S51.059, S51.062, S51.007, S51.134

⁸⁴ S50.025

⁸⁵ S41.003, S90.001, S98.002, S39.004

⁸⁶ S51.059, S51.062, S51.007, S51.134

must explain how the proposal provides for network connectivity to achieve:

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

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

Explanation

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

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

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

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

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

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



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(b) Essential services

- (i) All essential services must be available for connection within 30 metres of the nearest point of the land being subdivided.
- (ii) All new lots must have sewer, stormwater and water supply services that are connected to essential services, including innovative/low impact stormwater designs as provided under the requirements for a Comprehensive Development Plan in R7A.5.2.2 and subject to the assessment criteria in R7A.5.2.3(a)(xii).
- (iii) All new essential services proposed in a subdivision must be located in public service corridors and vested in Council where practical.
- (iv) Wastewater in Pressure Sewer Areas shall be reticulated with a Pressure Sewer System.
 - For the purposes of R7A.5.2.2(b)(iii), the boundary kit and the pressure sewer pipe network located in public service corridors must be installed at the time of

subdivision and vested to Council.

(v) ~~In the Aokautere Greenfield Residential Area all stormwater infrastructure (including the pPrimary sStormwater eElements) required to service for the proposed any residential development (inclusive of all stages and contributing flows from the upstream catchment, where relevant) in the Aokautere Residential Area are must shall be installed and operational before any dwellings are constructed or placed on the site development. This requirement shall be secured by a consent notice registered on the titles to ensure that development does not proceed before the necessary infrastructure is in place.~~⁸⁷

(vi) In the Aokautere Greenfield Residential Area a perimeter stormwater swale and associated utility corridor in accordance with Policy 4.10 and Policy 4.11 is provided on the gully edge locations identified on the Aokautere Structure Plan (Map 7A.4)⁸⁸.

Explanation

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

(c) Existing Buildings

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

(d) Lot Size and Density

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

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

(iii) No single lot shall be less than 350m² , except in the Aokautere Greenfield Residential Area where (iv) (iii) applies to residential development in the areas identified on the Aokautere Structure Plan or in the case of multi-unit development in Area I H as shown on Map 10.6.3.3(h) where R10.6.3.3 applies.⁸⁹

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

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

- Less than 150m² within where the Medium Density Village Areas or Medium Density Clusters shown on the Aokautere Structure Plan (Map 7A.4B) apply with the average minimum number of dwellings being 25 per hectare.⁹⁰

(v) No single lot shall exceed 1000m² (excluding balance lots), except in the Medium Density

⁸⁷ \$43.001, \$77.001, \$92.002

⁸⁸ \$77.009, \$39.007, \$43.001

⁸⁹ \$50.025

⁹⁰ \$50.025

Village Area shown on the Aokautere Structure Plan (Map 7A.4B), where no maximum lot size applies.

- (vi) Any subdivision in the Mātangi Residential Area must have an average lot size of 400m² to 500m², other than subdivision in the identified multi-unit housing area (Map 7A.3) where the developed density shall be lots of no more than 400m², with the average lot size being no more than 300m².
- (vii) In calculating the lot sizes in (i) to ~~(v)~~(iv) above, the following exceptions apply:
- no balance lot, public open space lot, neighbourhood centre, or road parcel shall be included; and
 - the lot sizes shall be exclusive of the acoustic setbacks required by the provisions of R10.6.1.5(e)(i) and (ii); and
 - in the Mātangi Residential Area, the maximum size specified in (iv) does not apply to neighbourhood centre lots and lots to be developed for multi-unit housing development.

(viii) Within the Medium Density Village Area shown on the Aokautere Structure Plan (Map 7A.4B), the average minimum number of dwellings shall be 25 per hectare net.⁹¹

Explanation

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

(e) Cul-de-sacs

- (i) Cul-de-sacs ~~shall be must serve a maximum of 20 dwellings with~~ a maximum **length** of 100m ~~in length~~ unless otherwise shown on the area's relevant Structure Plan **and in the Aokautere Structure Plan area, must serve a maximum of 20 dwellings.⁹²**
- (ii) Cul-de-sacs in the Kikiwhenua Residential Area **and Aokautere Greenfield Residential Area** shall include a minimum of a 10m wide straight public open space walking link connecting the cul-de-sac bulb with an adjacent road or reserve **unless otherwise shown on the area's relevant Structure Plan.**

Explanation

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

(f) Water Sensitive Design in the Kikiwhenua Residential Area

- (i) A Stormwater Management Plan must be prepared by a suitably qualified stormwater design consultant with experience in Water Sensitive Design concepts and elements. The Stormwater Management Plan must address the following:
- a site-specific assessment of the likely changes in stormwater quantities created by the development for the 2-year, 5-year, 10-year, 20 year, and 50-year and 100 year ARI events with storm durations appropriate for the relevant receiving system using the HIRDS database, taking into account climate change effects;
 - assessment of all internal stormwater infrastructure and how it will interact with the

⁹¹ S50.025

⁹² S51.060, S51.061, S51.063, S51.064, S51.007, S51.134

existing drainage system;

- how the development will hydraulically relate to its surrounding environs, including assessment of overland flow paths and potential flood impacts;
- how the stormwater management system will ensure that any changes in runoff from the site will be addressed;
- Reduction in peak flow discharges by flow attenuation;
- Reduction in discharge volumes by infiltration, soakage or other means appropriate for the site (i.e., the first 5 or 10mm of daily rainfall runoff from impervious areas may need to be retained on site in certain circumstances);
- The ability to use Water Sensitive Design to address stormwater runoff quality aspects; and
- assessment on the impact of development (including new infrastructure) on the existing stopbanks and what mitigation may be required so as to not exacerbate the risk of piping failure

NOTE TO PLAN USERS R7A.5.2.1.1(q)

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

(g) Water Sensitive Design in the Aokautere Greenfield⁹³ Residential Area

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

- **how the design, layout and management of stormwater is in general accordance with the Aokautere Structure Plan;**
- **the likely changes in hydrology in the catchment as a result of the development;**
- **the likely changes in stormwater quantities created by the development for the 50% 2 year, 20% 5 year, 10% 10 year, 5% 20 year, 2% 50 year and 1% 100 year AEP ARI events, with design storms as specified in the Palmerston North City Council Engineering Standards for Land Development, taking into account climate change effects and the provision of stormwater reticulation to accommodate stormwater flows;**
- **an assessment of the potential effects of stormwater (velocity, depth, flood extent, erosion⁹⁴) on the receiving environment, including people, property; and infrastructure;⁹⁵**
- **an assessment of potential effects of stormwater management measures on the stability of the Aokautere Church Stream and Moonshine Valley Reserve Stream, and any other existing, permanent or ephemeral watercourses located in the Aokautere Greenfield Residential Area and proposed mitigation measures;**
- **an assessment of the potential effects of stormwater management measures on**

⁹³ RMA Schedule 1 Clause 16 Minor amendment

⁹⁴ S77.001, S77.008

⁹⁵ S39.007, S41.008, S30.001, S17.001, S34.001

land stability and liquefaction hazard and any proposed mitigation;

- how overland discharge down the gully slopes will be avoided, with all run-off discharge into the gullies provided through controlled pipe outlets, with appropriate erosion control and energy mitigation measures;
- how the stormwater management measures interact and integrate with the downstream Primary Stormwater Elements⁹⁶;
- how the stormwater management system provides stormwater detention so as to achieve hydraulic neutrality and mitigate flood and erosion risk;
- how the design and management of stormwater addresses the matters in Policy 4.7;
- how the design and layout of stormwater infrastructure is in general accordance with the Aokautere Structure Plan and incorporates the perimeter stormwater swale referred to in Policy 4.10 and 4.11;
- how stormwater management solutions will be adopted to ensure an integrated approach to stormwater management, having regard to the mitigation of effects on the receiving gullies, with capacity to accommodate climate change flows in accordance with the Palmerston North City Council Engineering Standards for Land Development;
- how Water Sensitive Design and other initiatives will be used to manage water quality through low impact design principles, including roadside bioretention facilities (rain gardens) connecting to the stormwater reticulation network;
- how stormwater management measures comply with any resource consents held by the Council for stormwater at a regional or district level; and
- the intended staging and timing of the provision and vesting and/or upgrading and replacement of infrastructure assets so as to ensure an efficient, effective, functional and sustainable delivery of stormwater infrastructure.⁹⁷

(h) Transport Network Requirements for Aokautere Structure Plan⁹⁸

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

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

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

⁹⁶ \$43.001, \$39.007

⁹⁷ \$50.025

⁹⁸ \$63.04

end of Ruapehu Drive and the City.

- (ii) Implementation of safety improvements at Turitea Road/Valley Views, as scheduled under the 10-Year Plan 2021-2031.
- (iii) Improvements at the existing Abby Road and Johnstone Drive intersections with Pacific Drive when the Level of Service for side road traffic declines to a level of service of E at peak times, with either a change of control to roundabouts or traffic signals.
- (iv) Two future intersections with the existing section of Pacific Drive, either constructed as roundabouts or signals once the level of service for side road traffic declines to a Level of Service of E at peak times of when needed to support safe pedestrian access across Pacific Drive to the Aokautere Neighbourhood Centre.
- (v) Safety improvements for active modes through a shared path along the southern side of SH57 Aokautere Drive to connect Johnstone Drive and Pacific Drive and to provide access to Adderstone Reserve from both directions, prior to the traffic associated with the northeast area of the Structure Plan being loaded onto the network.
- (vi) The restrictions on development set out in (iii), (iv) and (v) must be secured through consent notices imposed on titles at the time of subdivision.
- (vii) Any subdivision that does not comply with this performance standard will be a non-complying activity.

(i) Transport Network Requirements for Aokautere Structure Plan

For subdivision and development within the Aokautere Structure Plan Area, the transport network upgrades listed in Table 7A.1:

- (a) are operational before the proposed subdivision and development commences within the Aokautere Structure Plan Area, or
- (b) are not operational, but a transport assessment has been prepared by a suitably qualified person experienced in traffic engineering and transport planning that:
 - (i) Assesses the current level of service for the intersections identified in Table 7A.1; and
 - (ii) Predicts whether the traffic generated by the proposed development will exceed the capacity thresholds for one or more of the intersections identified in Column 1 of Table 7A.1 and determines that none of the capacity thresholds in Column 2 of Table 7A.1 are exceeded; and
 - (iii) Describes any consultation undertaken with the relevant road controlling authority regarding the proposal and the outcomes of this consultation.⁹⁹

Explanation

Where the transport assessment predicts that any or all of the capacity thresholds in Table 7A.1 will be exceeded, the activity will be a non-complying activity under Rule R7A.5.5.¹⁰⁰

<u>Table 7A.1: Transport Network upgrades for the Aokautere Structure Plan Area - Summerhill Drive/Ruapehu Drive and State Highway 57¹⁰¹</u>		
<u>Intersection/road corridor</u>	<u>Capacity threshold</u>	<u>Required upgrade once the capacity threshold has been exceeded</u>
<u>Aokautere Drive</u>		

⁹⁹ S63.04

¹⁰⁰ S63.04

¹⁰¹ S63.04

Table 7A.1: Transport Network upgrades for the Aokautere Structure Plan Area - Summerhill Drive/Ruapehu Drive and State Highway 57¹⁰¹		
<u>Intersection of Summerhill Drive/Ruapehu Drive/Mountain View Road</u>	<u>The threshold for intersection upgrades is whichever is first of:</u> <u>(a) A forecast level of service D or worse for the overall intersection, or</u> <u>(b) A forecast level of service F for an individual turning movement.</u>	<u>Traffic signals</u>
<u>Intersection of SH57 Old West Road/Aokautere Drive/Summerhill Drive</u>	<u>The threshold for intersection upgrades is whichever is first of:</u> <u>(c) A forecast level of service D or worse for the overall intersection, or</u> <u>(d) A forecast level of service F for an individual turning movement.</u>	<u>Either:</u> <u>(a) Signals or roundabout with safe provision for active modes, or</u> <u>(b) an appropriate alternative treatment, agreed with Waka Kotahi NZ Transport Agency, that achieves efficient intersection performance with safe provision for active modes, as agreed to by Waka Kotahi NZ Transport Agency.^{102, 103}</u>
<u>Intersection of SH57 Aokautere Drive/Pacific Drive</u>	<u>The threshold for intersection upgrades is whichever is first of:</u> <u>(a) A forecast level of service D or worse for the overall intersection, or</u> <u>(b) A forecast level of service F for an individual turning movement.</u>	<u>Either:</u> <u>(a) Signals or roundabout with safe provision for active modes, or</u> <u>(b) an appropriate alternative treatment, agreed with Waka Kotahi NZ Transport Agency, that achieves efficient intersection performance with safe provision for active modes, as agreed to by Waka Kotahi NZ Transport Agency.</u>
<u>Intersection of SH57 Aokautere Drive/Ruapehu Drive</u>	<u>The threshold for intersection upgrades is whichever is first of:</u> <u>(a) A forecast level of service D or worse for the overall intersection, or</u> <u>(b) A forecast level of service F for an individual turning movement.</u>	<u>Either:</u> <u>(a) Signals or roundabout with safe provision for active modes, or</u> <u>(b) an appropriate alternative treatment, agreed with Waka Kotahi NZ Transport Agency, that achieves efficient intersection performance with safe provision for active modes, as agreed to by Waka Kotahi NZ Transport Agency.</u>
<u>Intersection of SH57 Aokautere Drive/Johnstone Drive</u>	<u>The threshold for intersection upgrades is whichever is first of:</u> <u>(a) A forecast level of service D or worse for the overall intersection, or</u>	<u>Either:</u> <u>(a) Signals or roundabout with safe provision for active modes, or</u> <u>(b) an appropriate alternative treatment, agreed with Waka Kotahi NZ Transport Agency, that achieves efficient intersection performance with safe provision</u>

¹⁰² \$50.025, \$63.004

¹⁰³ \$63.004, \$105.001, \$32.003

Table 7A.1: Transport Network upgrades for the Aokautere Structure Plan Area - Summerhill Drive/Ruapehu Drive and State Highway 57¹⁰¹		
	(b) A forecast level of service F for an individual turning movement.	for active modes, as agreed to by Waka Kotahi NZ Transport Agency.
The forecast level of service should be assessed for the weekday peak hour traffic periods. The level of service should be assessed in accordance with Austroads Guide to Traffic Management Part 3 2020 Table 7.2, page 71.¹⁰⁴		

Table 7A.2: Transport Network upgrades for the Aokautere Structure Plan Area – Local roads¹⁰⁵		
Intersection/road corridor	Capacity threshold	Required upgrade once the capacity threshold has been exceeded
Pacific Drive		
Intersection of Pacific Drive/Abby Road	The threshold for intersection upgrades is whichever is first of: (a) A forecast level of service D or worse for the overall intersection, or (b) A forecast level of service E for an individual turning movement.	Signals or roundabout with safe provision for active modes.
Intersection of Pacific Drive/Johnstone Drive	The threshold for intersection upgrades is whichever is first of: (a) A forecast level of service D or worse for the overall intersection, or (b) A forecast level of service E for an individual turning movement.	Signals or roundabout with safe provision for active modes.
Intersection of Pacific Drive /Activity Street A (Map 7A.4D)	The threshold for intersection upgrades is whichever is first of: (a) A forecast level of service D or worse for the overall intersection, or (b) A forecast level of service E for an individual turning movement.	Signals or roundabout with safe provision for active modes.
Intersection of Pacific Drive /Urban Connector F (Map 7A.4D)	The threshold for intersection upgrades is whichever is first of: (a) A forecast level of service D or worse for the overall intersection, or (b) A forecast level of service E for an individual turning movement.	Signals or roundabout with safe provision for active modes.
The forecast level of service should be assessed for the weekday peak hour traffic periods. The level of service should be assessed in accordance with Austroads Guide to Traffic Management Part 3 2020 Table 7.2, page 71.		

In determining whether to grant consent and what conditions to impose, if any, the Council will, in addition to the City View objectives in Section 2, and the objectives and policies of Sections 7 and 7A, assess any application in terms of the following:

R7A.5.2.3 Assessment Criteria for Restricted Discretionary Activity:

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

- (i) The extent to which the design and layout of the subdivision is in general

¹⁰⁴ \$63.004

¹⁰⁵ \$63.04

accordance with the area's relevant Structure Plan, including how the proposal contributes to the overall design principles for the area.

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

- (xx) Whether any adverse effects of the subdivision on the safe and efficient operation of the roading network can be effectively managed.
- (xxi) The degree to which the location and design of access onto the State Highway network, Limited Access Road or Restricted Access Road adversely affects the safe and efficient operation of the roading network, taking into account the long term operation of the adjacent road.
- (xxii) To have particular regard to the safety of cyclists and pedestrians.

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

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

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

- (i) Whether an archaeological assessment of the site has been undertaken by a suitably qualified archaeologist.
- (ii) Whether archaeological discovery protocol have been prepared and approved by a suitable authority representing Rangitāne o Manawatū.
- (iii) Whether a cultural monitoring plan has been prepared and approved by a suitable authority representing Rangitāne o Manawatū.
- (iv) The extent to which subdivision layout and design recognises and represents the connection that Rangitāne o Manawatū have with their rohe.
- (v) The extent to which physical and visual connections are created between the following sites:
 - The subdivision
 - Kikiwhenua
 - Urupa
 - Awapuni Lagoon
 - Mangaone Stream
 - Rangitāne-o Manawatū owned land in the area
- (vi) The extent to which Kikiwhenua, Awapuni Pa, and associated urupa are retained and recognised within the subdivision.
- (vii) The extent to which subdivision layout enable the retention of mature tree stock and shelterbelts as established street trees.
- (viii) The extent to which a clear hierarchy of primary, secondary, and tertiary roads provides legible way-finding throughout the site and encourages walking and cycling along key cultural connections.
- (ix) The extent to which the subdivision positively fronts onto Pioneer Highway, Te

Wanaka Road and the Awapuni Lagoon area.

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

-

Explanation

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

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

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

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

- (i) How the subdivision proposal incorporates responds to the matters design principles in Policies 5.3, 5.4, 5.5, and 5.8, 5.9, 5.13 and 5.14.¹⁰⁶
- (ii) How the subdivided allotments are of a size and shape which achieves the scale, density and type of development provided for in the Aokautere Structure Plan.
- ~~(iii) How the subdivision and development will positively front or connect to the gully network.~~¹⁰⁷
- ~~(iii) How a clear hierarchy of roads provides legible wayfinding throughout the site, with roading positively fronting the gully network and walking and cycling is provided along key connections.~~
- ~~(iv) How significant adverse effects on the transport network have been avoided.~~¹⁰⁸
- ~~(iv) The extent to which significant adverse effects on the transport network have been avoided.~~¹⁰⁹
- ~~(vi) Whether ~~How the subdivision~~ The extent of compliances with the transport network requirements for the Aokautere Structure Plan set out in R7A 5.2.2(hi) and how any development or use of lots will be restricted until the necessary transport network upgrades have been completed, including through the use of consent notices~~¹¹⁰
- ~~(vii) Whether the traffic generated by the proposed development will exceed a the capacity thresholds in Column 2 of Table 7A.2 at the intersections identified in Column 1 of Table 7A.2.~~¹¹¹
- ~~(viii) How the subdivision and proposed street layout integrates with the Aokautere Neighborhood Centre.~~
- (v) How the proposed stormwater approach achieves hydraulic neutrality to pre-residential development levels¹¹² through detention facilities and Water Sensitive Design and mitigates flood and erosion risk.
- (vi) How unattenuated discharge of stormwater flows into the gullies has been avoided.
- (vii) How direct discharge of overland stormwater flows onto gully slopes has been avoided.
- (viii) The availability of a suitable consent notice to prevent residential development until all the pPrimary sStormwater eElements stormwater infrastructure is are in place to service all stages of the Development and/or to record any restrictions arising under R7A5.2.2(g)(i).
- (ix) How the subdivision proposal recognises and protects the gully network and existing 'green corridor' plantings, indigenous vegetation and bush remnants.

¹⁰⁶ S58.028

¹⁰⁷ S58.028, S50.025

¹⁰⁸ S50.025

¹⁰⁹ S63.04

¹¹⁰ S63.04, S87.001

¹¹¹ S63.04

¹¹² S39.008

neighbourhood and drainage reserves, and wetlands.

- (x) ~~How~~ Whether the perimeter stormwater swale and associated utility corridor 5 metre no-build setback, required under Policy 4.10 and 4.11¹¹³ as identified on the Aokautere Structure Plan (Map 7A.3) is provided for within the development and the availability of a suitable consent notice to identify and record the restrictions on use and development, where the swale is located within individual lot boundaries protect the no-build setback area.
- (xi) Whether ~~How~~ the subdivision development implements the findings of any technical reports to address land stability, uncontrolled fill and natural hazards including any recommended avoidance or mitigation measures.¹¹⁴
- (xii) Whether the location and scale of earthworks adversely affects the gully network.
- (xiii) How the subdivision design creates lots, building platforms and provides screening through landscaping, to address adverse effects from visual intrusion of buildings on existing residential dwellings in the Moonshine Valley.¹¹⁵

R7A.5.2.4 Kikiwhenua Residential Area

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

7A.5.3 RULES: DISCRETIONARY ACTIVITIES

R7A.5.3.1 ~~Restricted~~ Discretionary Activities

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

(ii) Any activity in the Aokautere Greenfield Residential Area which does not comply with the Performance Standards for the Restricted Discretionary Activity Rule R7A.5.2.1 and is not otherwise a Non-Complying Activity is a Discretionary Activity¹¹⁶.

¹¹³ S77.001, S77.008

¹¹⁴ S50.025

¹¹⁵ S41.003, S49.002, S30.002, S90.001, S39.004

¹¹⁶ S50.025

7A.5.4 RULES: NOTIFICATION

R7A.5.4.1 Notification

- (i) Public notification is precluded for applications under R7A.5.2.1.
- (ii) Subject to the exception in (iii), limited notification is precluded for applications under R7A.5.2.1.
- (iii) Waka Kotahi New Zealand Transport Agency must be given limited notification of an application under R7A.5.2.1 unless written approval has already been provided¹¹⁷.

7A.5.5 RULES: NON-COMPLYING ACTIVITIES

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

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

- (i) Any subdivision that does not comply with one or more of the relevant standards and terms in R7A.5.2.2(a), (b)(v), (b)(vi), or (d), (g), and (h).¹¹⁸
- (ii) Any subdivision that does not satisfy R7A.5.2.2 (i)(a) and either where the transport assessment required by R7A.5.2.2 (i)(b) has not been undertaken or the assessment required by R7A.5.2.2 (i)(b)(ii) predicts that a one or more of the capacity thresholds for one or more of the intersections identified in Table 7A.1 will be exceeded.¹¹⁹
- (iii) Any subdivision that does not provide the 5 metre no-build setback perimeter stormwater swale in accordance with Policy 4.10 and Policy 4.11 to service development on the gully edge locations identified on the Aokautere Structure Plan (Map 7A.3).¹²⁰
- (iv) Any subdivision that does not provide for a local neighbourhood centre in accordance with the Aokautere Neighbourhood Precinct Plan (Map 7A.3C).¹²¹

7A.5.6 RULES: NOTIFICATION

R7A.5.46.1 Notification

- ~~(i) — (iv) Public notification is precluded for applications under R7A.5.2.1.~~
- ~~(ii) — (v) Subject to the exception in (iii), limited notification is precluded for applications under R7A.5.2.1.~~
- ~~(iii) — (vi) (i)~~ Waka Kotahi New Zealand Transport Agency must be given limited notification of an application under R7A.5.52.1 unless written approval has already been provided¹²².

¹¹⁷ S63.04

¹¹⁸ S63.004

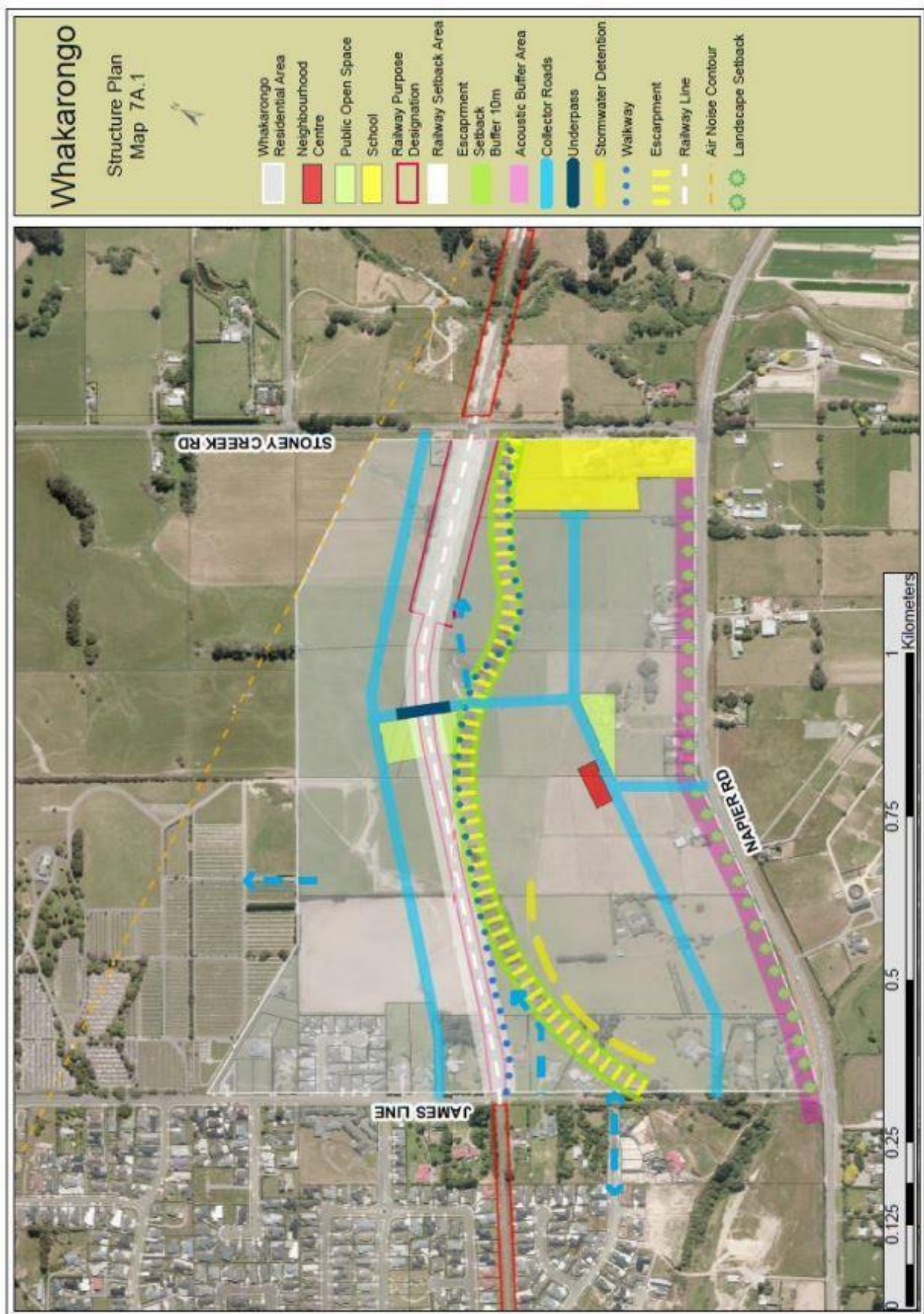
¹¹⁹ S63.04

¹²⁰ S50.025

¹²¹ S50.025

¹²² S63.04

Map 7A.1 Whakarongo Structure Plan

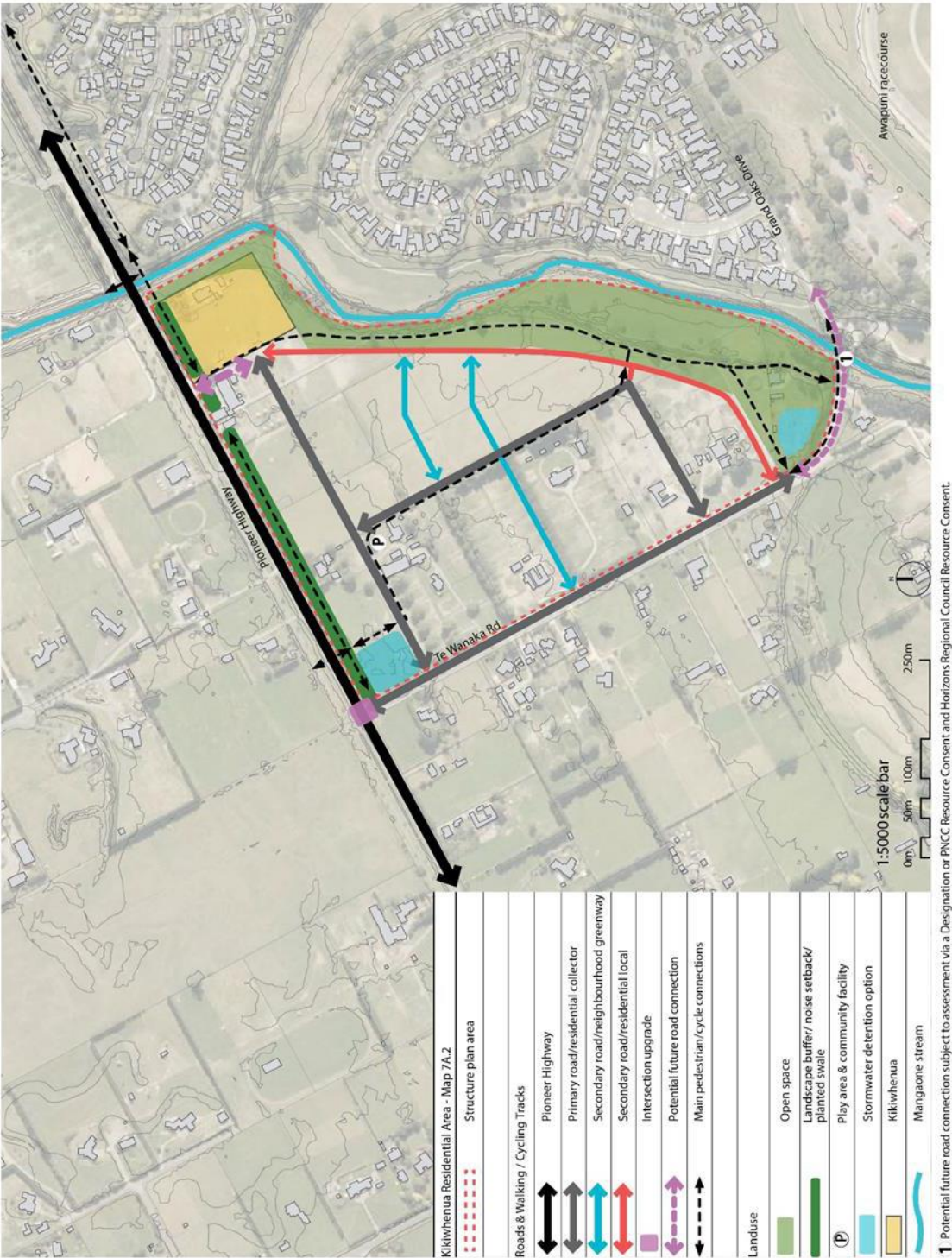


Map 7A.2 Kikiwhenua Residential Area Structure Plan

Kikiwhenua Residential Area

Structure Plan

Map 7A.2



Map 7A.4 – 7A.4D1-15 3

Aokautere Structure Plan

SECTION 10:

RESIDENTIAL ZONE

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10. RESIDENTIAL ZONE

10.1 Introduction

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

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 neighbourhood's.

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 neighbourhood's.
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~~
- 1.65 To minimise the use of the residential environment for commercial activities

Explanation

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

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

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

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

OBJECTIVE 2

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

POLICIES

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

¹ S51.108 – consequential amendment

- Ensuring main living areas are orientated to the sun, and good daylight and sunlight access is provided to the dwelling.

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

Explanation

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

OBJECTIVE 3

Housing development is energy efficient, resilient and environmentally sustainable.

POLICIES

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

Explanation

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

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

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

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

OBJECTIVE 4

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

POLICIES

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

Explanation

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

OBJECTIVE 5

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

POLICY

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

Explanation

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

OBJECTIVE 6

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

POLICIES

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

Explanation

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

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

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

OBJECTIVE 7

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

POLICIES

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

Explanation

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

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

OBJECTIVE 8

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

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

POLICIES

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

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

Explanation

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

OBJECTIVE 9

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

POLICIES

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

Explanation

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

OBJECTIVE 10

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

POLICIES

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

OBJECTIVE 11

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

POLICIES

- 11.1 To control the location of buildings in relation to the escarpment and oxbow in the Whakarongo Residential Area to protect against the risk of natural hazard.
- 11.2 To ensure buildings and structures in any Greenfield Residential Area are located and designed to protect against the risk of natural hazards.
- ~~11.3 To ensure buildings, structures and landscaping are not located in the 5 metre no-build setback identified on the Aokautere Structure Plan (Map 7A.3) to protect against the risk of natural hazards.²~~

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.

² S50.025

OBJECTIVE 13

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

POLICIES

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

OBJECTIVE 14

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

POLICIES

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

OBJECTIVE 15

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

POLICIES

- 15.1** Require Achieve a diversity of built form and density within the Suburban Low Density, Medium Villange and Medium Density Cluster Areas identified on³ the Aokautere Structure Plan Area, including by in a manner providinges for:
- Detached houses with front setbacks and side yards in identified Suburban Low Density areas.
 - Attached or sSemi-detached two and three-storey townhouses and apartments in identified the Medium Density Village areas.
 - Short runs of fFully attached two and three-storey townhouses at the promontories in identified Medium Density Cluster areas.⁴
- 15.2** Avoid establishing non-residential activities that are of a nature and scale that would undermine the vibrancy and vitality of any neighbourhood centre in close proximity to the activity.
- 15.3** The size and scale of buildings and structures must be compatible with the locality including the proximity of amenities such as open space and any Local Business Zone.
- 15.4** Ensure development contributes high quality built form.⁵
- 15.5** Ensure residential sites adjacent to public spaces achieve visual and physical connectivity to these areas.
- 15.6** Ensure engagement between public and private domains for dwellings fronting a street.
- 15.7** Require active street frontages through design controls for new dwellings, garaging and fencing.⁶
- 15.8** Ensure building platforms are located in a manner which responds to gullies, plateaus, and promontories.
- 15.9** Require a high-amenity interface between residential development and the existing natural edges of the gully network including through provision of a 5 metre no-build setback where lot boundaries adjoin gully edges.
- 15.10** Ensure that residential development in the Aokautere Residential Area does not proceed until in the absence of the pPrimary sStormwater eElements infrastructure which are necessary to with the capacity to service the development are is in place to in a manner which ensures there is no increase in effects onf surrounding areas or the gully network.⁷
- 15.11** Ensure residential development does not occur in advance of the availability of operational transport infrastructure necessary to service the development.⁸
- 15.12** Avoid adverse effects on the gully network, including on the associated landscape, amenity, cultural and indigenous biodiversity values⁹.
- 15.13** To restrict the height of buildings and structures and require them to be set back from the edge of the escarpment above the Moonshine Valley, so as to minimise their visual

³ S50.025

⁴ S51.073, S58.031

⁵ S51.076

⁶ S51.081

⁷ S43.001, S41.008, S39.007

⁸ S63.04

⁹ S77.001

intrusion on dwellings in the Moonshine valley.¹⁰

15.14 Ensure residential development, or earthworks or recontouring to enable residential development, does not proceed unless a geotechnical investigation has confirmed the appropriateness of the land for development and the recommendations of any technical reports to address land stability, uncontrolled fill and natural hazards including any recommended avoidance or mitigation measures, have been implemented in advance of development.¹¹

15.15 Ensure development within the Medium Density Village Area (Map 7A.4B) contributes to the achievement of a housing density standard of 25 dwellings per hectare net.¹²

10.4 Methods

- District Plan Rules (Palmerston North City Council)
- Public Education
- Designation₂
- **Aokautere Master Plan**

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

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

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

10.5 Activities in the Residential Zone

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

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

¹⁰ S30.002, S41.003, S90.001, S39.004

¹¹ S21.002, S107.004,

¹² S27.002, S22.006, S77.003

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:
 - (i) 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:
 - (i) 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.
 - (ii) 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.
 - (iii) any boundary common with a reserve or street.
- iv. Gable roof ends, including the sloping edge of mono-pitch roofs, may penetrate the height recession plane by no more than one third (1/3) of the gable end height.
- v. In applying the height recession plane to properties on Pacific Drive adjoining the offset boundaries, as shown on Map 10.6.1 "Landscape Provisions – Pacific Drive Extension", the plane shall commence from the 10 or 15 metre offset boundary (whichever applies).

(b) Overlooking

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

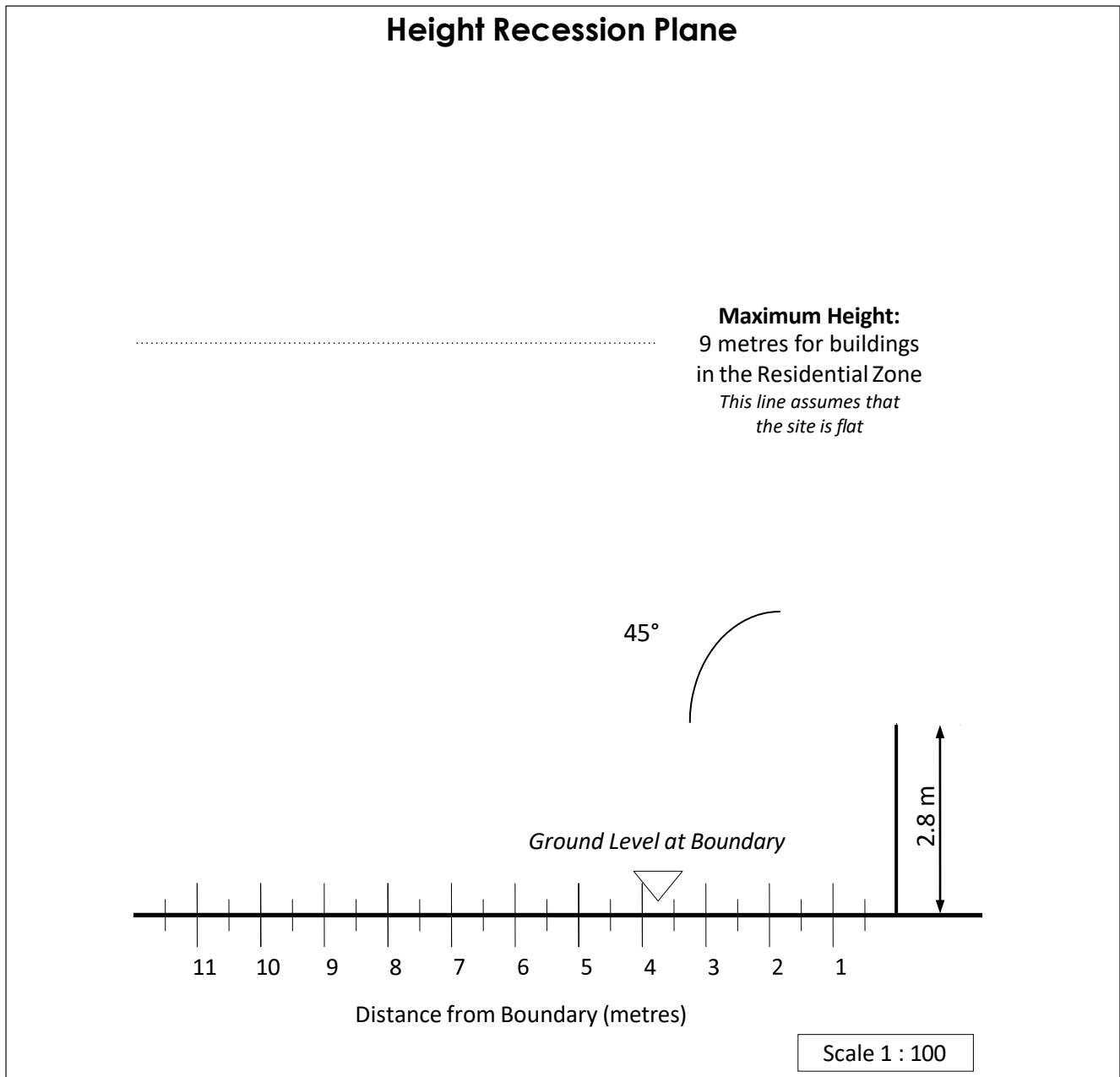
Explanation

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

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

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

Figure 10.1

**(c) Separation Distances**

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

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

Explanation

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

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

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

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

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

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

Explanation

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

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

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

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

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

ii. Site Coverage

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

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

Explanation

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

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

iii. Number of buildings used for residential living per site

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

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

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

Explanation

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

(e) **On-site Amenity**

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

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

Explanation

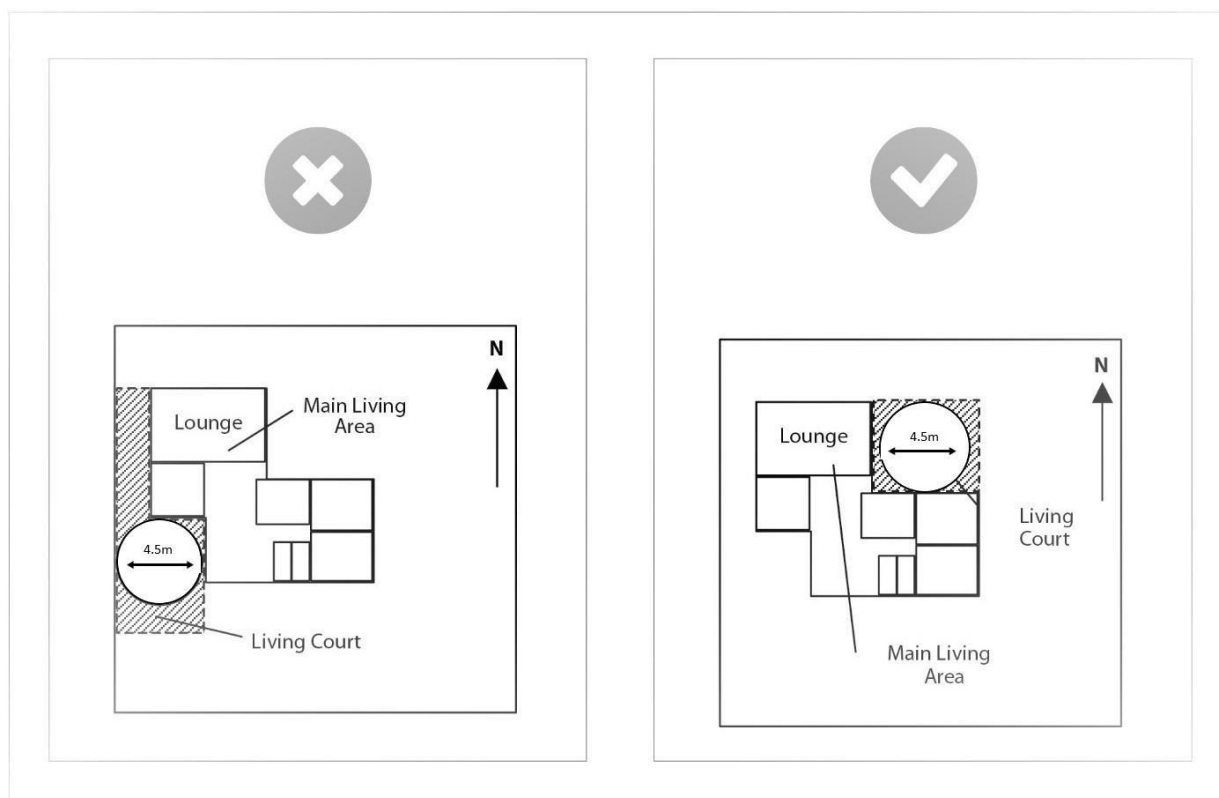
Much of the enjoyment of a site comes from the availability and useability of open space within the site. To be effective the open space must allow good daylight and sunlight penetration and be readily accessible from the main living areas of the dwelling.

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

NOTE TO PLAN USERS

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

**Figure
10.5**

**Explanation**

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

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

(f) Aokautere Development Area

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

Explanation

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

(g) Access and Parking

Compliance with the following performance standards of

R20.4.2: 20.4.2(a) Vehicle Access;

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

Explanation

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

(h) Air Noise Control

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

NOTE TO PLAN USERS

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

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

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

Explanation

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

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

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

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

(i) Turitea/Aokautere Residential Zone Setback

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

Explanation

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

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

(i) 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).¹³

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

¹³ S51.070

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).~~¹⁴

~~(i)~~(h) Aokautere Development Area

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

NOTE TO PLAN USERS

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

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

- i. Within the area shown as **Area A** on Map 10.6.1.3 The Amberley Avenue Minimum Floor Levels Area, any residential building erected must have a habitable floor level above 23.45m in terms of the Palmerston North City Council datum of levels.
- ii. Within the area shown as **Area B** on Map 10.6.1.3 The Amberley Avenue Minimum Floor Levels Area, any residential building erected must have a habitable floor level above 23.31m in terms of the Palmerston North City Council datum of levels.
- iii. Within the area shown as **Area C** on Map 10.6.1.3 The Rangitane Park Ponding Area, any residential building erected must have a habitable floor level above 22.63m in terms of the Palmerston North City Council datum of levels.
- iv. Within the area shown as **Area D** on Map 10.6.1.3 The Escort Grove Minimum Floor Levels Area, any residential building erected must have a habitable floor level above 23.20m in terms of the Palmerston North City Council datum of levels.
- v. Within the area shown as **Area E** on Map 10.6.1.3 The Awapuni Racecourse Minimum Floor Level Area, any residential building erected must have a ground floor level above 24 metres, with the ground level for residential allotments and any other building or accessory building above 23.80 metres, and all roads above 23.60 metres (measured at the invert of the channel level) being in terms of the Palmerston North City Council datum of levels.

¹⁴ S51.070

- 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 $DnT, W+Ctr > 30\text{dB}$. 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-Wanganui Regional Council for work within 8 metres of the toe of the stopbank.

f) Flood Hazards

Compliance with R10.6.1.3

g) Permeable Surface

For the Napier Road Residential Extension Area:

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

h) Active Frontage

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

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

i) Oxbow Lagoon Landscaping

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

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

R10.6.1.5 Dwellings, Minor Dwellings Units¹⁵ & Accessory Buildings in the Greenfield Residential Areas

Any dwelling, Minor Dwelling Unit and/or Accessory Building in any Greenfield Residential Area is a Permitted Activity provided it complies with the Performance Standards detailed in Clauses(a) – ~~(h)(j)(k)~~, except that this rule does not apply to:

- (i) The exception are Dwellings, Minor Dwellings Units and Accessory Buildings in the Medium Density Village Areas identified on the Aokautere Structure Plan

¹⁵ S50.025

(Map 7A.4B), which are a restricted discretionary activities under and¹⁶ must comply with the performance standards in R10.6.3.3 for multi-unit residential development; and

- (ii) Dwellings, Minor Dwellings Units and Accessory Buildings that are part of a Multi-unit Residential Development in the Medium Density Clusters or the Medium Density Village Area identified on the Aokautere Structure Plan (Map 7A.4B)¹⁷, which are restricted discretionary activities under must comply with either the performance standards in R10.6.3.3 for multi-residential development, or with the Performance Standards detailed in Clauses (a) – (i).¹⁸

Performance Standards

a) Access and Parking

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

b) Maximum Building Height, Height Recession Planes and Overlooking

- i. Compliance with R10.6.1.1(a) and (b) except that in the Aokautere Greenfield Residential Area R10.6.1.1(a) Height Recession Planes (iii) c. does not apply to boundaries common with the gully reserves shown on the Aokautere Structure Plan.¹⁹
- ii. No building within the Kikiwhenua Residential Area fronting Te Wanaka Road opposite the following lots may exceed a maximum height of 4m.
 - LOT DP 477332
 - LOT 2 DP 477332
 - LOT 1 DP 27043 BLK XIV KAIRANGA SD
 - PT LOT 12 8486 BLK XIV KAIRANGA SD
 - LOT 1 DP 90735
- iii. No building within the Aokautere Greenfield Residential Area shall exceed a maximum height of 9m in the Suburban Low Density Areas.
- (iii)(iv) In applying the height recession plane to properties in the Aokautere Residential Area adjoining the gully network, the plane shall commence from the 5 metre no-build setback boundary identified on the Aokautere Structure Plan.²⁰

c) Separation Distances

- i. Compliance with R10.6.1.1(c).
- ii. Any accessory buildings in a Greenfield Residential Area shall be located a minimum of:
 - 4m from the road boundary;
 - 1m from all other boundaries.
- iii. Any dwelling within the Aokautere Greenfield Residential Area must be set back at least 15m from any boundary shared with a lot located within the Moonshine Valley Rural Residential Area.²¹

¹⁶ S50.025

¹⁷ Clause 16 RMA amendment, S51.088, S58.034, S22.006, S41.004

¹⁸ S50.025

¹⁹ S50.025

²⁰ S50.025

²¹ S30.002, S41.003, S90.001, S39.004, S53.002

~~iv. Any garage in the Aokautere Residential Area must be located:~~

- ~~• with the garage face 1m behind the frontage of the dwelling served;~~
- ~~• not less than 5.5m from the front boundary if there is an on-site parking space in front of the garage door; and~~
- ~~• without occupying more than half the width of the frontage of the dwelling it serves.~~

~~iii iv Within the Aokautere Residential Area no buildings, structures or landscaping shall be located within the 5 metre no-build setback identified on the Aokautere Structure Plan (Map 7A.3).²²~~

d) Site Area and Coverage

i. Site Area

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

ii. Site Coverage

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

iii. Permeable Surface

At least 30% of the net site area for each dwelling unit in the Kikiwhenua Residential Area **and at least 40% of the net site area for each dwelling unit in the Suburban Low Density Areas in the Aokautere Greenfield Residential Area** shall be permeable.²³

e) Acoustic Insulation and Setbacks for the Whakarongo Residential Area

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

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

- vi. Where bedrooms with openable windows are proposed in buildings requiring acoustic insulation, a positive supplementary source of fresh air ducted from outside is required at the time of fit-out. For the purposes of this requirement, a bedroom is any room intended to be used for sleeping. The supplementary

²² S58.034, S50.025

²³ S43.001, S97.003, S46.001, S60.005

source of air is to achieve a minimum of 7.5 litres per second per person.

- vii. For all other developments, compliance shall be achieved with the satisfactory design guidelines given in AS/NZS 2107:2000: *Acoustics – recommended design sound level and reverberation times for building interiors*.

f) Acoustic Setbacks for the Kikiwhenua Residential Area

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

g) On-site Amenity

- i. Every dwelling shall be provided with an outdoor amenity area which can meet the following requirements:
 - A minimum open area of 36m² free of driveways, parking spaces, buildings (other than decks, verandahs and shade sails) and manoeuvring area.
 - Is able to accommodate a circle of 4.5 metres in diameter.
 - Has direct contact with the main living area for a length of not less than 2 metres.
 - Is orientated to the west, north or east of the dwelling.
- ii. Any accessory building or garage, whether freestanding or adjoining a dwelling, shall be recessed by a minimum of 1m behind the front façade of a dwelling.
- iii. **Any dwellings on lots sharing a property boundary with a street or public open space in the Aokautere Greenfield Residential Area must contain windows from a habitable room-main living area facing the street or open space.**²⁴

h) Fencing

- i. Where a fence is erected along a property boundary directly adjoining public open space it shall not exceed a maximum height of 1.8 metres for half of the property boundary; any remainder is permitted to a maximum height of 0.9m.
This standard does not apply to any fence within any setback area required under performance standard (e) above.
- ii. Where a fence is erected on the road frontage, a maximum height of 0.9m applies, **unless located in the Aokautere Greenfield Residential Areas, in which case a maximum height of 1m within 3m of the front boundary applies.**
- iii. **Where a boundary interfaces with a gully in the Aokautere Residential Area, the rear boundary must not include a fence unless it is a rear yard side boundary where fencing must be of open construction and is restricted to one third of the rear yard closest to the rear face of the dwelling.**²⁵
- ii.iv. **No fencing shall occur at the boundary of any allotment for commercial use.**²⁶

i) Flood hazards

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

- iii. Occupied structures are to have a finished floor or ground level, which includes reasonable freeboard, above the 0.5% AEP (1 in 200 years) flood level for the Whakarongo Residential Area.

²⁴ S58.034

²⁵ S50.025

²⁶ S58.034

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

NOTES TO PLAN USERS

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

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

Within the Aokautere Greenfield Residential Area all Dwellings, Minor Dwelling Units and Accessory Buildings shall be located on land that:

- shall be located on is either a Developable Land or Limited Developable Land that is identified as Class D (Map 10.1 or 10.1A); and
- has been confirmed as appropriate for development in a geotechnical report that satisfies the requirements of R7A.5.2.2(a)(xix); and
- has had any land stability, uncontrolled fill and natural hazard mitigations recommended in the geotechnical report implemented.²⁷

Explanation

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

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

k) Stormwater Management in the Aokautere Greenfield Residential Area

Within the Aokautere Greenfield Residential Area all any Dwellings, Minor Dwelling Units and or Accessory Buildings shall be located on a site:

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

²⁷ S58.034

Stormwater Elements designed to manage stormwater and erosion from the fully developed contributing catchment up to the 1% AEP design storm event (accounting for climate change in accordance with the Palmerston North City Council Engineering Standards for Land Development) are installed and operational;

except that this standard shall not apply to Dwellings, Minor Dwelling Units and Accessory Buildings located on lots less than 1000m² and where either:

(a) the title for the lot was issued prior to 8 August 2022, or

(b) subdivision consent to create the lot was issued prior to 8 August 2022.²⁸

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

²⁸ \$43.001, \$39.007, \$41.008, \$41.008

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

Explanation

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

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

(e) Setbacks

- (i) Compliance with R10.6.1.1(c).
- (ii) The frontage of a garage can be placed up to edge of lanes identified in the Hoko-whitu 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 ~~(i)-(ii)~~²⁹.

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.

²⁹ Consequential amendment

NOTE TO PLAN USERS

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

Reinstatement Report +

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

Bonds

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

Completion of Works

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

Explanation

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

R10.6.2.2 Non-notification of Controlled Activities

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

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

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

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

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

are Restricted Discretionary Activities with regard to:

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

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

Assessment Criteria

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

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

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

Explanation

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

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

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

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

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

- i. Height **including Maximum Height and Height Recession Planes**
- ii. Separation Distances
- iii. Site Area and Coverage
- iv. Overlooking
- v. On-site Amenity
- vi. Fencing
- vii. **Access and** Parking **and Access**³⁰
- viii. Acoustic Insulation and Setbacks
- ix. Flood Hazards
- x. **Developable Land Natural Hazards within Aokautere Greenfield Residential Area (Map 10.1A)**³¹
- xi. **Stormwater management in the Aokautere Greenfield Residential Area**³²

Are Restricted Discretionary Activities with regard to:

- ~~Effects on adjoining residential neighbours~~
- Site layout
- Effects on the surrounding residential environment and streetscape
- Visual dominance
- Design, scale and appearance
- The impact on achieving the design elements and outcomes of the Greenfield Residential Area's relevant Structure Plan
- The safe and efficient operation of the roading network **including timing of roading infrastructure, connectivity of the street network and**³³ **effects on vehicular, pedestrian and cycle movement and safety**
- Effects on acoustic amenity and health
- Natural hazards
- Flood Hazards
- **Earthworks within the Aokautere Structure Plan area**³⁴
- **Effects on the gully network within the Aokautere Structure Plan area**³⁵
- **Stormwater management in the Aokautere Structure Plan area**³⁶.

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

³⁰ Clause 16 Amendment

³¹ S39.005-8, S77.001-2

³² S39.005-8, S77.001-2

³³ S50.025

³⁴ S51.090, S51.007 and S51.134

³⁵ S51.090, S51.007 and S51.134

³⁶ S39.005-8, S77.001-2

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 **including through provision of a range of development density, housing types and forms and the opportunity for mixed use.**
- (j) The extent to which internal noise levels and amenity will be protected.
- (k) The extent to which the effects of flooding on any new occupied structure or activity, or an increase in the scale of any existing occupied structure or activity, are avoided, remedied or mitigated.
- (l) **How use and development in the Aokautere Greenfield Residential Area integrates with the neighbourhood centre identified in the Aokautere Neighbourhood Centre Precinct Plan (Map 7A.3C).**
- (m) **How the location, design and appearance of any building or structure has regard to, and positively fronts or connects, to the gully network in Aokautere.**
- (n) **How adverse effects on the natural gully network in Aokautere are avoided.**
- (o) **Whether buildings, structures and landscaping have been avoided in the 5-metre³⁷ perimeter swale and associated utility corridor specified in Policy 4.11 of Section 7A no-build setback, where residential lot boundaries adjoin gully edges identified on the Aokautere Structure Plan (Map 7A.3).³⁸**
- (p) **How the development manages potential adverse effects associated with the geotechnical constraints and natural hazards within the Aokautere Greenfield Residential Area through implementation of any geotechnical or engineering**

³⁷ S51.093

³⁸ S51.093, S51.099, S51.102, S77.001, S77.008

recommendations, including the level of geotechnical investigation carried out and whether that investigation satisfies the requirements of R7A.5.2.2(a)(xix), and the level of analysis and specific design requirements arising from the investigation with particular reference to:

- i. cut slope behaviour and slope stability analysis to develop appropriate set back distances from the crest of slopes for building platforms;
 - ii. whether building platforms should be restricted in certain areas;
 - iii. whether specific foundation designs are required in certain locations; and/or
 - iv. the management of earthworks and recontouring of land; and/or
 - v. future stream erosion and potential for downcutting.
- (q) How stormwater from development within the Aokautere Structure Plan area will be managed, including whether stormwater management is consistent with any relevant Stormwater Management Plan.
- (r) Whether Primary Stormwater Elements that have been designed to manage stormwater from the catchment(s) that will receive stormwater from the proposed development have been installed and are operational in the catchments that will receive stormwater from the proposed development.³⁹

R10.6.3.3 Multi-unit residential development in the multi-unit housing areas identified on Maps 10.6.3.3(a)-(g)(h)(i) and dwellings, minor dwellings units and accessory buildings in the Medium Density Village Areas identified on the Aokautere Structure Plan (Map 7A.4B) are is a Restricted Discretionary Activitiesy with regard to:

- Effects on the surrounding residential environment and streetscape
- Height within the Aokautere Greenfield Residential Area⁴⁰
- Design, scale and appearance
- Site density and layout
- On-site landscaping
- Privacy across boundary and within the development
- The safe and efficient operation of the roading network , and internal circulation and manoeuvring areas
- Natural hazards
- For developments within the Hokowhitu Lagoon Residential Area, the effects on the Manawatu Golf Club
- For developments within the Aokautere Greenfield Residential Area, the impact on achieving the design elements and outcomes of the Aokautere Structure Plan, and the
- Within the Aokautere Structure Plan Area, effects on the natural gully network⁴¹
- Stormwater Management within the Aokautere Structure Plan Area⁴²
- Within the Aokautere Structure Plan Area, available capacity in the intersections identified in Table 7A.1 and 7A.2⁴³

³⁹ S43.001, S39.007, S41.008, S77.002, S77.009

⁴⁰ S51.094, S51.007, S51.134

⁴¹ S50.025

⁴² S34.001, S17.001, S41.008, S39.007

⁴³ S63.004

- Effects of earthworks within the Aokautere Structure Plan Area⁴⁴

Performance Standards

- i. Notional Site Area for Each Unit
 - a) No minimum notional site area applies if the development site is located within Areas A or C;
 - b) A minimum notional site area of 150m² applies if the development site is located within Areas B, D, or G, ~~or H~~.
- ii. Minimum Unit Size
 - a) Each unit must have a gross floor area greater than 45m², if the site is located within Areas A or C, ~~or H~~;
 - b) Each unit must have a gross floor area greater than 60m², if the site is located within Areas B or D or G, ~~or H~~.⁴⁵
- iii. Site Coverage **and Permeable Surface**
 - a) A maximum site coverage of 40% applies to the development site unless the site is within the Aokautere Greenfield Residential Area where-in which case⁴⁶ a maximum site coverage of 45% applies.
 - b) **At least 25% of the notional site area for each dwelling unit in the Aokautere Greenfield Residential Area shall be permeable.⁴⁷**

On-site Amenity

 - c) 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.
 - d) Each dwelling unit located ~~above on~~ the ~~ground-first~~ floor, ~~and/or any terraced dwelling in the Aokautere Greenfield Residential Area which does not have a principal living room or dining room at ground level, which does not have connection at ground level,~~ shall be provided with an ~~an~~ **above ground** private outdoor amenity area which can meet the following requirements:
 - Is accessed directly off the living, dining or kitchen areas, and located at the same level,
 - A minimum of 8m² ~~is in area,~~ **unless a unit in the Aokautere Greenfield Residential Area has less than two bedrooms in which case a minimum of 5m² applies.**⁴⁸
 - Is orientated to the north, west or east.

⁴⁴ S77.001, S107.004, S21.002

⁴⁵ S58.036

⁴⁶ S50.025

⁴⁷ S43.001, S97.003, S46.001, S60.005

⁴⁸ S9.004

- iv. Access and Parking
- Compliance with R10.6.1.1 (g) (Access and Parking).
- v. Compliance with R10.6.1.1 (a), R10.6.1.1 (b), R10.6.1.1 (c) (i), **except in the Aokautere Greenfield Residential Area, where, in relation to height, height recession planes and separation distances, (x) below also applies.**⁴⁹
- vi. 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.
- 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
 - **demonstrate** how low impact development principles are applied
 - identify a secondary flow path
 - **within the Aokautere Structure Plan area, demonstrates how:**
 - **demonstrate how the stormwater design meets the requirements of, or is consistent with, the relevant Stormwater Management Plan prepared under R7A.5.2.23(f)(h), and demonstrates how**
 - **adverse effects on the gully network in the Aokautere Structure Plan area will be avoided, and**
 - **the stormwater management design provides for a perimeter stormwater swale and associated utility corridor⁵⁰ in accordance with Policy 4.10 and 4.11 of Section 7A, where the site adjoins a gully edge identified on the Aokautere Structure Plan (Map 7A.3);⁵¹, and**
 - **the stormwater design integrates with Primary Stormwater Elements⁵²**
- 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.
- ix. **Additional Height, recession and setback requirements in the Medium Density Village Area or a Medium Density Cluster within⁵³ the Aokautere Greenfield Residential Area**
- (a) **No building shall exceed 11m in height within Area I H.**
- (b) **All buildings within Area I H shall be contained within a comply with R10.6.1.1(a) Height Recession Planes except that for the front two thirds of the side boundary a recession plane of 45° plane commencing at 5m above ground level inclined**

⁴⁹ S50.025

⁵⁰ S51.093

⁵¹ Heritage Estates S51.093, S51.099, S51.102, S77.001, S77.008

⁵² S39.007

⁵³ S50.025

inwards at right angles in plan applies for the front two-thirds of the side boundary and a recession plane of 45° commencing at 2.8m above ground level applies for the rear one-third of the side boundary (See Figure 10.2); unless it is located at the boundary of a Suburban Low Density allotment in which case the recession plan shown in Figure 10.1 applies.⁵⁴

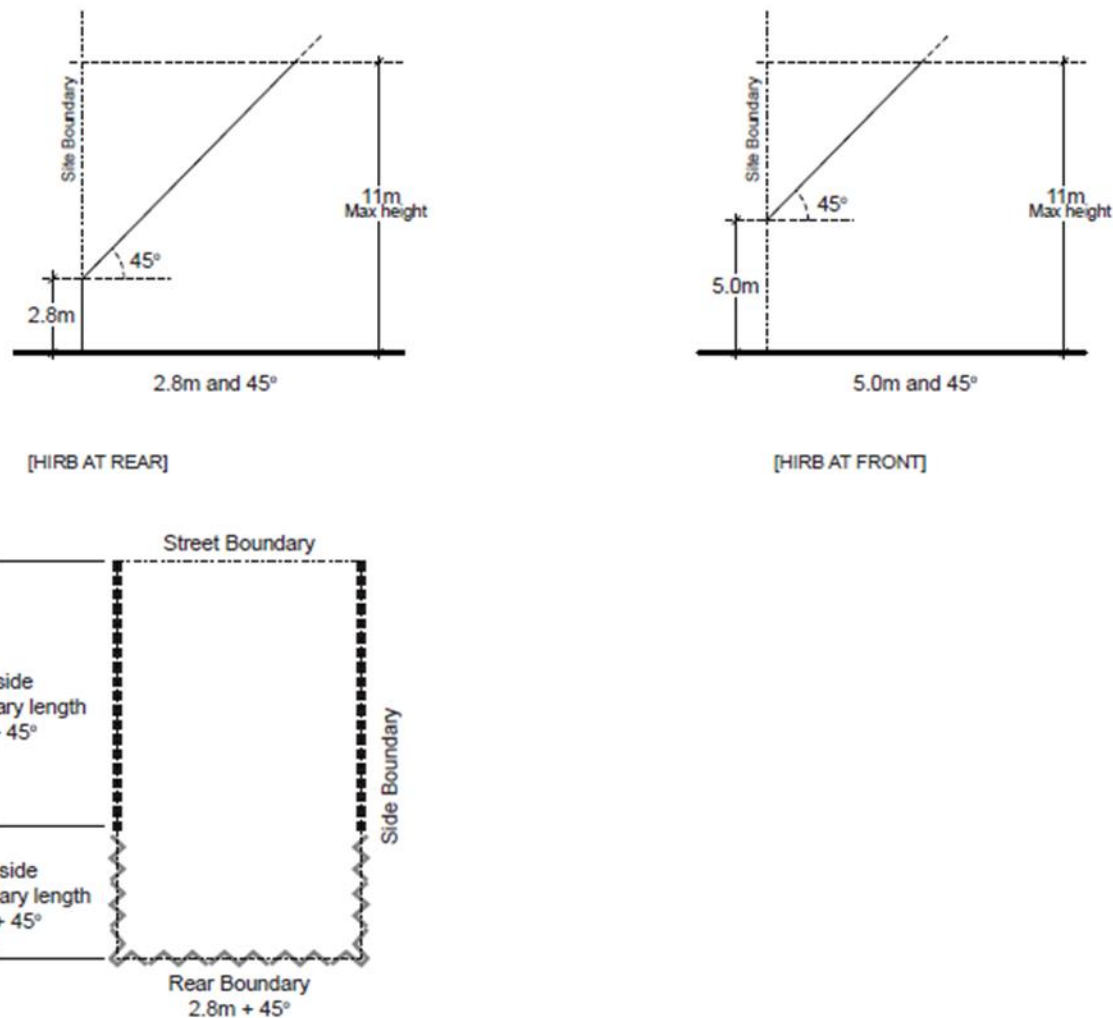


Figure 10.2

- (c) Any dwelling (including with garages) within Area 1 H must be at least:
- 1.5m from the road boundary where the lot has frontage with any public road;
 - 1m from any other side yard boundary; and
 - 15m from any boundary shared with a lot located within the Moonshine Valley Rural Residential Area.
 - 3m from any rear yard boundary.⁵⁵
- (d) Any garage or carport, including any garage or carport which is contained within a dwelling, in the Aokautere Greenfield Residential Area must be located:
- so that the garage face is setback at least 0.5m behind the façade of the dwelling

⁵⁴ S51.098, S50.019

⁵⁵ S58.036

it serves:

- **not less than 5.5m from the front boundary if there is an on-site parking space in front of the garage door; and**
- **so that it does not occupy more than half the width of the frontage of the dwelling it serves.**⁵⁶

ix. x. Compliance with R10.6.1.5(c)(iv).⁵⁷

xii. Natural Hazards within the Aokautere Greenfield Residential Area

- **Compliance with performance standard R10.6.1.5 (i)**

xiii. Within the Medium Density Village Area identified on the Aokautere Structure Plan (Map 7A.4B), the minimum average number of dwellings shall be 25 per hectare net.⁵⁸

xiv. For development within the Aokautere Structure Plan Area, the transport network upgrades listed in Table 7A.1 in Section 7A:

(a) are operational before development commences, or

(b) are not operational, but a transport assessment has been prepared by a suitably qualified person experienced in traffic engineering and transport planning that:

- 1. Assesses the current level of service for the intersections identified in Table 7A.1; and**
- 2. Predicts whether the traffic generated by the proposed development will exceed a capacity threshold for one or more of the intersections identified in Column 1 of Table 7A.1 and determines that none of the capacity thresholds in Column 2 of Table 7A.1 are exceeded; and**
- 3. Describes any consultation undertaken with the relevant road controlling authority regarding the proposal and the outcomes of this consultation**⁵⁹.

Explanation

Where the transport assessment predicts that any or all of the capacity thresholds in Table 7A.1 will be exceeded, the activity will be a non-complying activity under Rule R10.6.5.6⁶⁰.

xv. In the Aokautere Greenfield Residential Area, Primary Stormwater Elements designed to manage stormwater and erosion from the fully developed contributing catchment up to the 1% AEP design storm event (accounting for climate change in accordance with the Palmerston North City Council Engineering Standards for Land Development) have been installed and are operational in the catchment(s) that will receive stormwater from the proposed development before any dwellings are constructed or placed on the site⁶¹.

⁵⁶ \$40.002

⁵⁷ \$51.099, \$58.036

⁵⁸ \$9.004, \$77.003, \$77.014, \$50.025, \$27.002, \$22.006

⁵⁹ \$63.04

⁶⁰ \$63.04

⁶¹ \$39.007, \$41.008, \$43.001, \$77.001-2

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

Assessment Criteria

1 Character

The extent to which:

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

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

2 Site Planning

The extent to which:

- (a) buildings and related open spaces and landscaping are planned and designed together to deliver high levels of amenity with **in a range of housing types and forms dwellings** and well-located, good quality open spaces, **which are consistent with the Aokautere Structure Plan any relevant Greenfields within the Aokautere Structure Plan area**⁶² and within the Hokowhitu Lagoon Residential Area provides a safe interface with the adjoining Manawatu Golf Course.
- (b) private and public areas are differentiated and defined.
- (c) habitable rooms are orientated towards the east, north or west for good sun, and habitable rooms that face south only are avoided.
- (d) new buildings retain reasonable visual privacy and daylighting for all adjacent residential units and properties **and in any Medium Density Clusters identified on the Aokautere Structure Plan (Map 7A.4B), new buildings and structures avoid visual intrusion on dwellings in the Moonshine Valley.**⁶³
- (e) garages and parking are located and designed to avoid monotony and domination of any street frontage or spaces within the development.
- (f) driveways and entrance courts are designed and landscaped to give visual interest and create an attractive entrance to the development.
- (g) the planning of the development allows views of the street and common spaces within the development to be maintained, including views of open carparking spaces from the dwelling served.

3 Building Design

The extent to which:

⁶² S52.101, S51.103, S51.007, S51.134

⁶³ S30.002, S38.001, S43.001, S49.006, S90.001, S39.004

- (a) dwelling fronts including entrances and windows to habitable rooms are orientated to the street edge, and views are maintained to and from the street.
- (b) modelling of building form, and secondary forms and detail gives visual interest and a sense of human scale at the occupied and/or publicly visible edges of buildings.
- (c) windows are provided to optimise both daylighting and views while providing for privacy, and large blank walls are avoided.
- (d) the living areas of dwellings are located and oriented to optimise sun exposure, natural lighting and views, including to the street or adjacent public open spaces.
- (e) circulation within the dwellings is sufficiently planned, and spaces including storage are provided and sized to be fit for purpose.
- (f) new buildings retain reasonable visual privacy and daylighting for adjacent residential properties.
- (g) individual units are expressed and entrances are signalled and readily visible from the street or entranceways.
- (h) the design of the development incorporates energy efficient and water conservation principles.
- (i) Within the Hokowhitu Lagoon Residential Area incorporates design and materials to withstand damage from stray golf balls from the Manawatu Golf Course.
- (j) **in any Medium Density Clusters identified on the Aokautere Structure Plan (Map 7A.4B), new buildings and structures avoid visual intrusion on dwellings in the Moonshine Valley.**⁶⁴

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.

⁶⁴ S30.002, S38.001, S43.001, S49.006, S90.001, S39.004

- (j) suitable, reasonably private and sunny space is provided for open air laundry drying.

5 Infrastructure and Servicing

The extent to which:

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

~~(c) where residential lot boundaries adjoin a gully edge identified on the Aokautere Structure Plan (Map 7A.3) the stormwater management design provides for a perimeter stormwater swale and associated utility corridor⁶⁵, in accordance with Policy 4.10 and 4.11 of Section 7A. and any buildings, structures and landscaping are avoided within the 5 metre swale corridor identified on the Aokautere Structure Plan (Map 7A.3).⁶⁶~~

~~(b)(d) adverse effects on the gully network in the Aokautere Structure Plan area⁶⁷ are avoided.~~

(e) Within the Aokautere Structure Plan area, whether the traffic generated by the proposed development will cause adverse effects on the transport network, including whether it will exceed a capacity threshold in Table 7A.2 in Section 7A⁶⁸.

6 Natural Hazards in the Aokautere Greenfield Residential Area

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

- cut slope behaviour and slope stability analysis to develop appropriate set back distances from the crest of slopes for building platforms;
- whether building platforms should be restricted in certain areas;
- whether specific foundation designs are required in certain locations; and/or
- the management of earthworks and recontouring of land; and/or
- future stream erosion and potential for downcutting⁶⁹.

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.~~

⁶⁵ S51.093

⁶⁶ S77.001-2

⁶⁷ S51.101, S51.103, S51.007, S51.134

⁶⁸ S63.004

⁶⁹ S39.007

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

- i. Applications made for restricted discretionary consent applications under R10.6.3.3 for sites associated with Map 10.6.3.3(g) **and 10.6.3.3 (i)(h)** must not be publicly or limited notified, except that for sites within the Aokautere Greenfield Residential Area, Waka Kotahi New Zealand Transport Agency must be given limited notification, unless written approval has already been provided⁷⁰.

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.

⁷⁰ S63.04

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

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.

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, and is not otherwise specified as a Non-Complying Activity under R10.6.5.6 or R10.6.5.7⁷¹, 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.

⁷¹ S50.025

- 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'.

10.6.4.5 Dwellings, Minor Dwelling Units and Accessory Buildings in the Medium Density Village Area and Medium Density Clusters identified on the Aokautere Structure Plan that do not comply with Rule R10.6.3.3

Any Dwelling, Minor Dwelling Unit or Accessory Building in the Medium Density Village Area identified on the Aokautere Structure Plan that does not comply with Rule R10.6.3.3 and which is not otherwise a Non-Complying Activity under R10.6.5.6 or R10.6.5.7 shall be a Discretionary Activity.⁷²

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, [R10.6.5.6, R10.6.5.7⁷³](#) 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.

⁷² S50.025

⁷³ S50.025

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.⁷⁴

NOTE TO PLAN USERS

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

R10.6.5.4 Roading Infrastructure (Napier Road Residential Area)

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

Explanation

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

R10.6.5.5 External Storage of Derelict Vehicles

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

R10.6.5.6 Transport Infrastructure (Aokautere Residential Area)

Notwithstanding the activity status set out in R10.6.1.5 and 10.6.3.2, all development that occurs before the completion and certification of the works identified in R7A.5.2.2(i), within the stipulated timeframes, shall be a Non-Complying Activity.

R10.6.5.6 Transport Infrastructure (Aokautere Greenfield Residential Area)

Within the Aokautere Greenfield Residential Area, any Dwelling, Minor Dwelling Unit or Accessory Building in the Medium Density Village Area, or any Multi-unit Residential Development, where R10.6.3.3(xiv)(a) does not apply, shall be a non-complying activity where either:

- (i) the transport assessment required by R10.6.3.3(xiv)(b) has not been undertaken, or
- (ii) the assessment required by R10.6.3.3(xiv)(b)(2) predicts that a capacity threshold for one or more of the intersections identified in Table 7A.1 in Section 7A will be exceeded⁷⁵.

R10.6.5.7 Development prior to Primary Stormwater Elements being in place or that does not meet minimum density standard (Aokautere Greenfield Residential Area)

Within the Aokautere Greenfield Residential Area, any Dwelling, Minor Dwelling Unit or Accessory Building in the Medium Density Village Area, or any Multi-unit Residential Development, that does not meet performance standard R10.6.3.3(viii) or R10.6.3.3(xv) shall be a Non-Complying Activity.⁷⁶

⁷⁴ Consequential amendment arising from S51.070

⁷⁵ R63.004

⁷⁶ S39.007, S77.001-2

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, R10.6.3.1, 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 Māori) in which the marae-based activities are to take place.
- vii. To recognise and take account of the significance of the site to tangata whenua.

R10.7.3.5 Commercial Activity

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

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

Performance Standards

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

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

Assessment Criteria

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

Explanation

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

10.7.4 RULES: DISCRETIONARY ACTIVITIES

The following activities in R10.7.4.1, R10.7.4.2, R10.7.4.3, R10.7.4.4, R10.7.4.5, R10.7.4.6, R10.7.4.7 and R10.7.4.8 are Discretionary Activities unless R10.7.5.2 or R10.7.5.3 applies, or in the case of Retirement Villages in Greenfield Residential Areas, R10.7.5.3 applies.⁷⁷

~~[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

⁷⁷ S50.025

enhance the character, ambience and amenity values of the adjoining residential neighbourhood.

- h. The extent that on-site planting has been implemented to reduce the activities visual intrusion on adjacent properties and break up areas of hard surfacing, such as fence lines and paved areas.
- i. To ensure employment uses and community facilities provide appropriate opportunities for people to use activity and non-vehicular modes of transport.
- j. In respect of R10.7.4.6 and R10.7.4.8, the Assessment Criteria of R10.6.3.3.

k. **In respect of R10.7.4.6, and where they are the activity is proposed in the Aokautere Greenfield Residential Areas, how any activity whether the activity:**

- **Implements Is in general accordance with the located as shown on any relevant the Aokautere sStructure pPlan and/or, including the Aokautere Neighbourhood Centre pPrecinct pPlan (Map 7A.4C)⁷⁸, in accordance with Policies 5.1 and 5.1A in Section 7A;**
- **provides for the roading and street layout as shown on the relevant structure plan and/or precinct plan;**
- **positively fronts, and integrates with, any Local Business Zone, including as directed by any relevant structure plan and/or precinct plan;**
- **is consistent with the relevant design principles described for the Greenfield Residential Area in section 7A of the District Plan;**
- **contributes to positive streetscape outcomes in the Greenfield Residential Area, including and any adjacent⁷⁹ Local Business Zone. This includes, but is not limited to:**
 - **active frontages with visible entrances onto streets**
 - **dwelling fronting internal routes and throughfares and where relevant, public streets**
 - **consistent front-to-front and back-to-back relationships amongst dwellings**
 - **fronting of Activity Streets by communal buildings**
 - **visually interesting street-facing elevations of communal buildings**
 - **coherent built active edges along any Activity Street within a neighbourhood centre, part of which must include a publicly accessible commercial activity**
 - **horizontal and vertical scale of communal buildings complements mixed use development in any neighbourhood centre**
 - **landscaping**
 - **avoidance of blank walls fronting the public realm**
 - **integration with the surrounding road and path network including with well distributed on-site connections to the surrounding public road network**
 - **layout of internal routes and throughfares, including paths, generally integrating with the layout of the Greenfield Residential Area Street layout**
 - **high amenity interface with connections to open space and reserves**

⁷⁸ S50.025, S51.008, S58.007, S58.038, S58.057

⁷⁹ S50.025

including coordinated design of communal buildings and open spaces

○ garage setbacks.

- demonstrates that will generate traffic that will require upgrades the transport network upgrades that are necessary to provide a safe and efficient transport network to service the activity, including whether the relevant upgrades in Tables 7A.1 and 7A.2 are required and will be operational before the development occurs, unless taking into account any a transport assessment prepared in accordance with R7A.5.2.2 (i)(b) demonstrates the capacity thresholds will not be exceeded.⁸⁰
- is supported by a stormwater management design that:
 - is consistent with the requirements of the any relevant Stormwater Management Plan prepared under R7A.2.2(f), and
 - demonstrates integration with Primary Stormwater Elements, and
 - provides for a perimeter stormwater swale and associated utility corridor where residential lot boundaries development adjoins a gully edge identified on the Aokautere Structure Plan (Map 7A.4) in accordance with Policy 4.10 and 4.11 of Section 7A.), and
 - avoids buildings, structures and landscaping being located within the minimum 5 metre wide perimeter swale utility corridor, and
 - provides access to the swale for maintenance purposes
- manages potential adverse effects associated with the geotechnical constraints and natural hazards within the Aokautere Residential Area through implementation of any geotechnical and engineering recommendations, including the level of geotechnical investigation carried out and the level of analysis and specific design requirements arising from the investigation with particular reference to:
 - cut slope behaviour and slope stability analysis to develop appropriate set back distances from the crest of slopes for building platforms;
 - whether building platforms should be restricted in certain areas;
 - whether specific foundation designs are required in certain locations; and/or
 - the management of earthworks and recontouring of land; and/or
 - future stream erosion and potential for downcutting⁸².

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).

⁸⁰ S63.04

⁸¹ S39.007, S43.001, S50.025

⁸² S39.007

Explanation

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

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

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

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

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

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

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

Assessment Criteria

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

NOTE TO PLAN USERS

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

R10.7.4.10 Minor Temporary Military Training Activities which do not comply with the Performance Standards, Extended Military Training Activities, and single or multiple explosive events, and which comply with the following Performance Standard, are Discretionary Activities.

Performance Standard

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

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

- External Appearance and amenity and/or character of the surrounding residential

area.

- Effects of additional traffic generated on the roading network, and internal circulation and manoeuvring areas.

Assessment Criteria

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

Explanation

The New Zealand Defence Force (NZDF) may need to carry out temporary military training activities which do not meet the performance standards for Permitted Activities. In this case, it is important to ensure that any adverse effects of training activities on the environment are avoided, remedied or mitigated. The Discretionary Activity status provides Council with the opportunity to take full account of effects in its assessment of the proposed activities

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

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

Performance Standards

- The following information must be submitted to the Council on lodgement of an application under this rule:
 - A Noise Management Plan prepared by a suitably qualified acoustic expert
 - A Traffic Impact Assessment prepared by a qualified traffic engineer or traffic planner.
 - A Stormwater Management Plan prepared by a Chartered Professional Stormwater Engineer identifying the potential stormwater risks to the site and infrastructure that support development. The report must cover;
 - How onsite stormwater retention and detention measures will achieve hydraulic neutrality in the 1% AEP plus climate change storm with no increase in stormwater effects on surrounding areas.

2. On-site water sensitive design measures that will be installed to achieve hydraulic neutrality.
3. A site specific hydrologic modelling assessment using updated oxbow bathymetry and footprint based on the proposed development plan and include assessment for different downstream discharge conditions.
4. Scoping of all internal stormwater infrastructure and how it will interact with the existing drainage system including connection to the existing stormwater network and discharge to the Napier Road open drain and layout of treatment devices.
5. Treatment of all stormwater runoff from the site prior to discharge to the primary network and/or direct discharge to the oxbow.
6. Protection of treatment devices and treatment runoff during all phases of construction.

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

A copy of any site calculations must accompany the report.

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

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

- a. The extent to which the effects of noise, hours of operation and other environmental disturbance on the surrounding residential neighborhoods are avoided or can be remedied or mitigated.
- b. To avoid, remedy or mitigate the visual impact of any activities, and to preserve the character and amenity of the residential environment.
- c. Whether the Noise Management Plan prepared by an acoustical consultant identifies noise management measure to avoid, remedy or mitigate adverse effects of noise, including best practicable options adopted to minimise sound emissions.
- d. The extent to which the effects of the generation of additional traffic are addressed through efficient and effective parking and access provisions.
- e. The extent to which additional traffic generated impacts on the safe and efficient operations of the roading network and internal circulation and manoeuvring areas, taking into account the location of the activity on the major arterial route of Napier Road.
- f. The extent to which appropriate landscaping elements have been incorporated to enhance the character, ambience and amenity values of the adjoining residential neighbourhood.

- g. The extent to which onsite planting has been implemented to reduce the activities visual intrusion on adjacent properties and break up areas of hard surfacing such as fence lines and paved areas.
- h. The extent to which proposed development achieves hydraulic neutrality in the 1% AEP plus climate change storm event.
- i. The extent to which flood mitigation has been provided for and does not result in effects on other upstream or downstream properties.
- j. The extent to which design contributes to positive streetscape outcomes, given the gateway function of Napier Road. This includes, but is not limited to;
 - Active frontages
 - Landscaping
 - Avoidance of blank walls fronting the public realm
 - Minimising carparking at the road frontage.

10.7.5 RULES: NON-COMPLYING ACTIVITIES

R10.7.5.1 Non-Complying Activities

Any building, structure or activity not provided for as a Permitted Activity, Controlled Activity, Restricted Discretionary Activity, Discretionary Activity, and is not a Prohibited Activity or is not specifically provided for by R10.7.5.2 [or R10.7.5.3⁸³](#), shall be a Non-Complying Activity.

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

Any new community home, accommodation motel, education facility, early childhood facility, health facility, community and leisure facility, motel conference centre, place of worship, training facility, health centre, hospital, retirement village, residential centre, or any alterations to an existing building associated with these activities sited in the Inner Control Contour or Outer Control Contour that does not comply with R10.6.1.1(h) shall be a Non-Complying Activity.

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

Assessment Criteria

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

[R10.7.5.3 Retirement Villages in the Aokautere Greenfield Residential Area](#)

~~Any new retirement village in the Aokautere Residential Area which is not located and developed in accordance with the Aokautere Structure Plan.⁸⁴~~

[Any new retirement village in the Aokautere Greenfield Residential Area where Primary Stormwater Elements designed to manage stormwater and erosion from the fully developed contributing catchment up to the 1% AEP design storm event \(accounting for climate](#)

⁸³ S58.038, S50.025

⁸⁴ S58.038, S50.025

change in accordance with the Palmerston North City Council Engineering Standards for Land Development) have not been installed in the catchment(s) that will receive stormwater from the proposed development is a Non-Complying Activity.⁸⁵

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

⁸⁵ S39.007, S43.001

Refer also to Section 6: Noise.

Explanation

The rules for the Residential Zone are intended to control the noise from any items of fixed mechanical plant, and from non-residential activities situated in a Residential Zone. The mechanical plant items include, but shall not be limited to, residential and non-residential heat-pumps, fans, pumps, and generators. Care needs to be taken with the installation of these plant items that they are sensibly selected, located and operated such as not to cause a nuisance to neighbours.

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

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

BUILDING ELEMENT	MINIMUM 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 floor area:	6mm glazing single float
	Glazed areas between 10% and 35% of floor area:	6mm laminated glazing

	Glazed areas greater than 35% of floor area:	Require a specialist acoustic report to show conformance with the insulation rule.
	Frames to be aluminium window frames with compression seals.	
<u>Skillion</u> Roof	Cladding:	0.5mm profiled steel or 6mm corrugated fibre cement or membrane over 15mm thick ply, or concrete or clay tiles.
	Sarking:	17mm plywood (no gaps).
	Frame:	Minimum 100mm gap with fibrous acoustic blanket (batts or similar of a mass of 9kg/m ³).
	Ceiling:	Two layers of 10mm gypsum plaster board (no through ceiling lighting penetrations unless correctly acoustically rated). Fibrous acoustic blanket (batts or similar of a minimum mass of 9kg/m ³).
	Combined superficial density:	Combined mass of cladding and lining of not less than 25kg/m ² .
Pitched <u>Roof</u> (all roofs other than skillion roofs)	Cladding:	0.5mm profiled steel or tiles, or membrane over 15mm thick ply.
	Frame:	Timber truss with 100mm fibrous acoustic blanket. (Batts or similar of a minimum mass of 9kg/m ³) required for all ceilings.
	Ceiling:	12mm gypsum plaster board.
	Combined superficial density:	Combined mass with cladding and lining of not less than 25kg/m ² .
<u>Floor</u> areas open to outside	Cladding:	Under-floor areas of non-concrete slab type floors exposed to external sound will require a cladding layer lining the underside of floor joists of not less than 12mm ply
	Combined superficial density:	Floors to attain a combined mass not less than 25kg/m ² for the floor layer and any external cladding (excluding floor joists or bearers).
External <u>Door</u> to Habitable Rooms	Solid core door (min 25kg/m ²) with compression seals (where the door is exposed to exterior noise).	

NOTE TO PLAN USERS

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

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

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

Glossary of Acoustic Terms

Leq or L_{eq}

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

"energy average" measure of sound exposure.

Insulation (Sound)

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

A-Weighting (dBA)

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

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

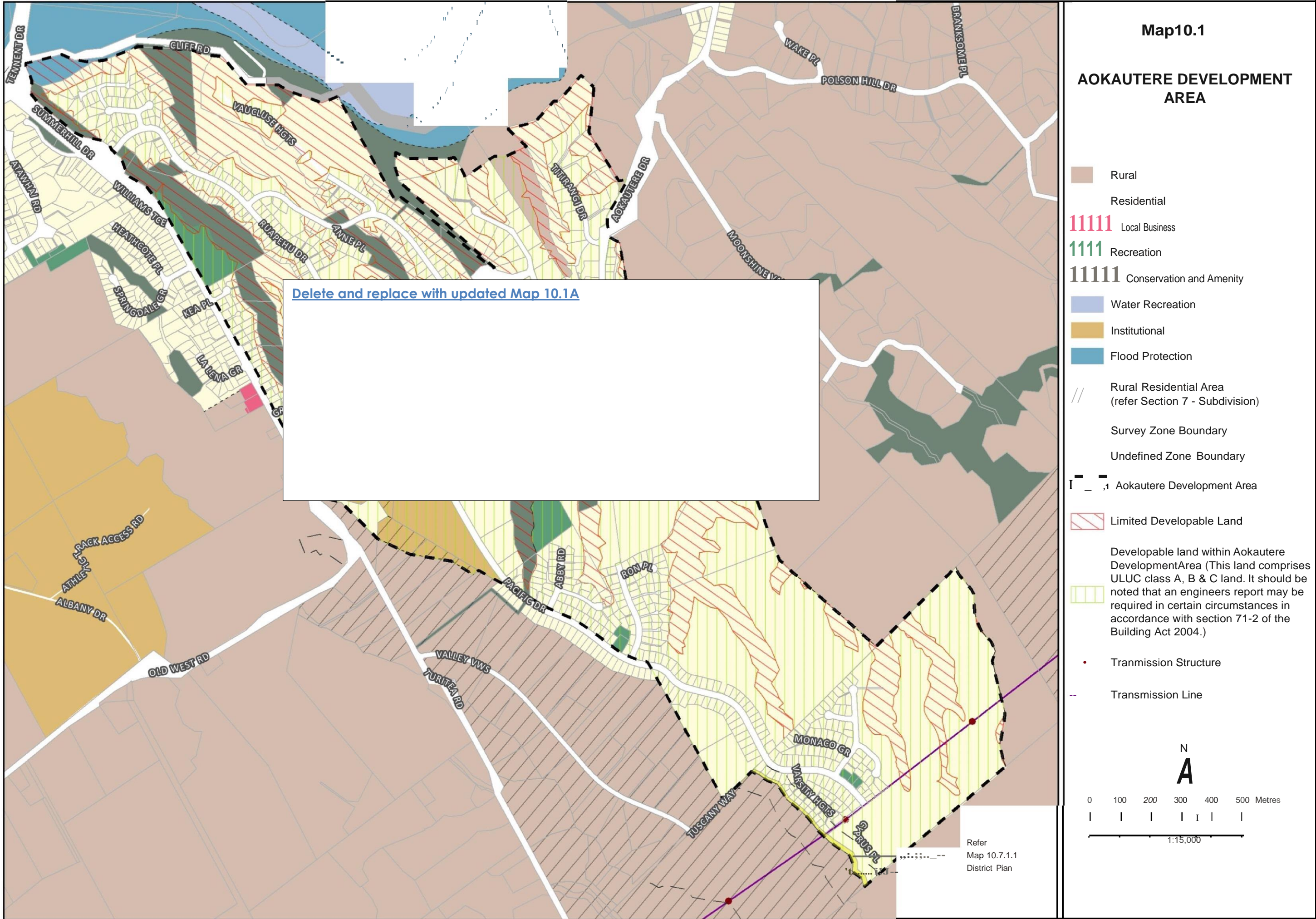
Sound Reduction Index.

Rw

Weighted Sound Reduction Index

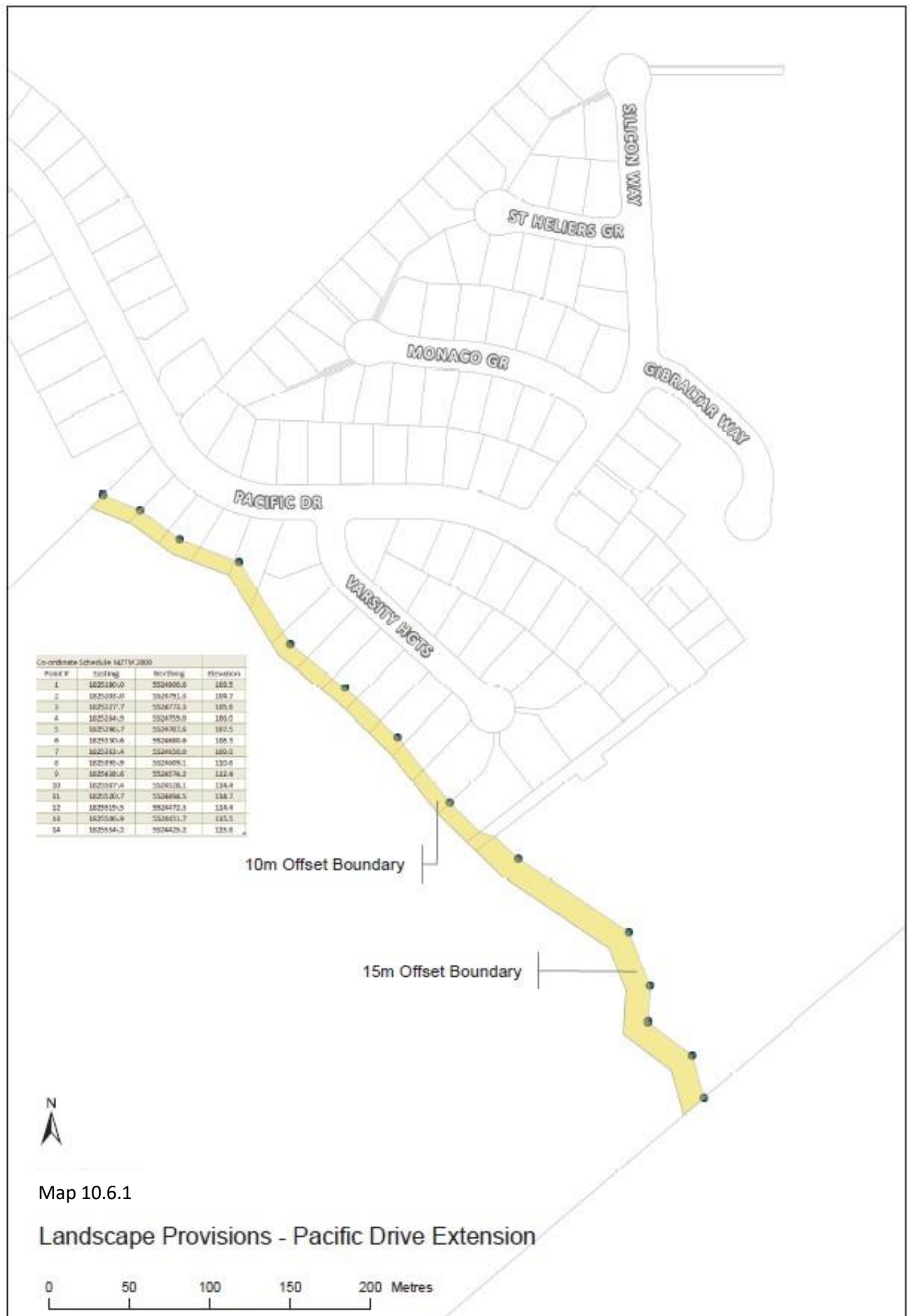
STC and Rw

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 10.1A Aokautere Development Area – Aokautere Structure Plan

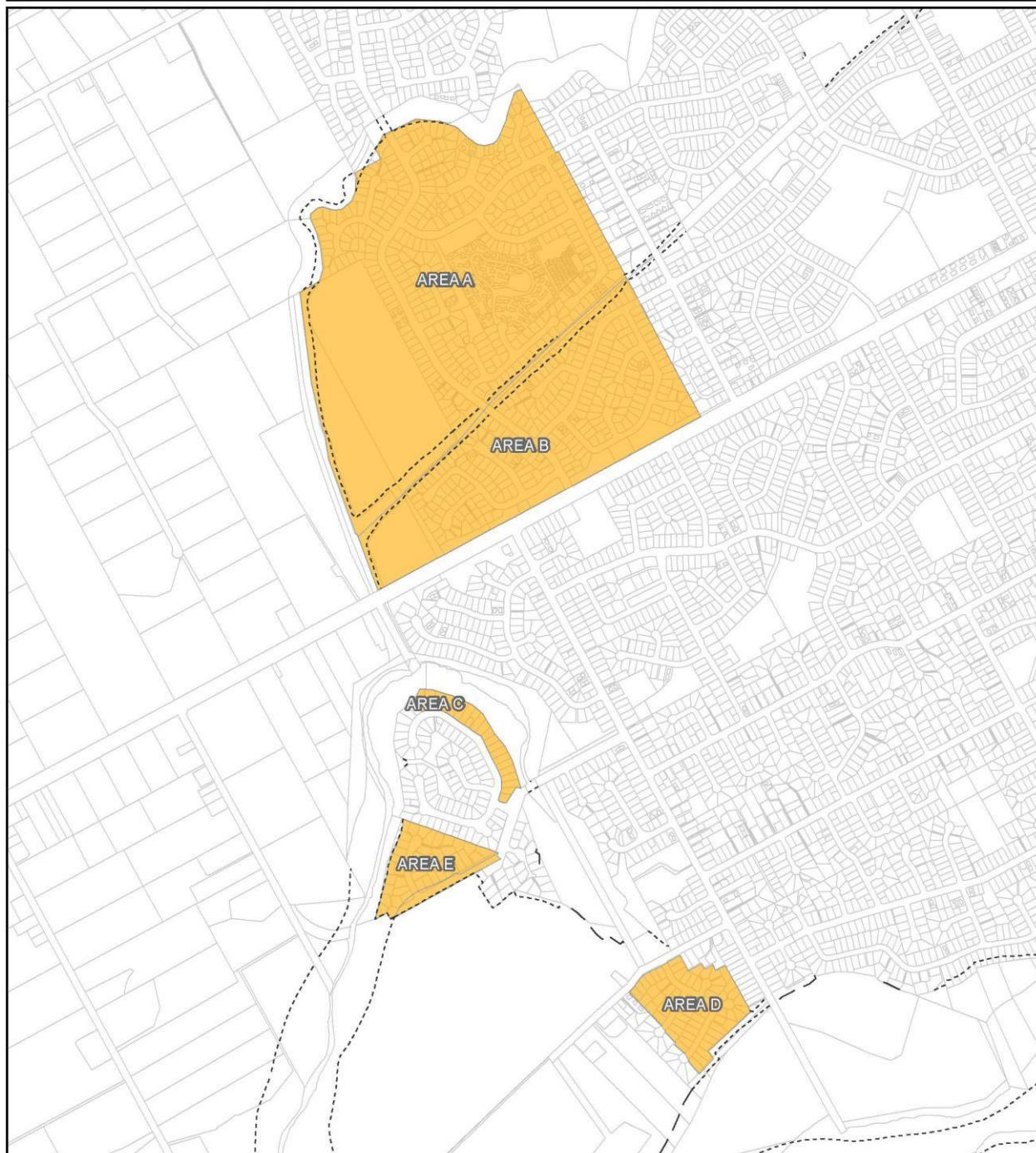
Map 10.6.1 Landscape Provisions – Pacific Drive Extension



Map 10.6.1.3 Areas in which Minimum Floor Levels Apply

Map 10.6.1.3




AREAS IN WHICH MINIMUM FLOOR LEVELS APPLY



0 100 200 400 600 800 Metres

1:15,000



-  Area in which minimum floor levels apply.
-  Survey Zone Boundary
-  Undefined Zone Boundary



Map 10.6.3.3(b) 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



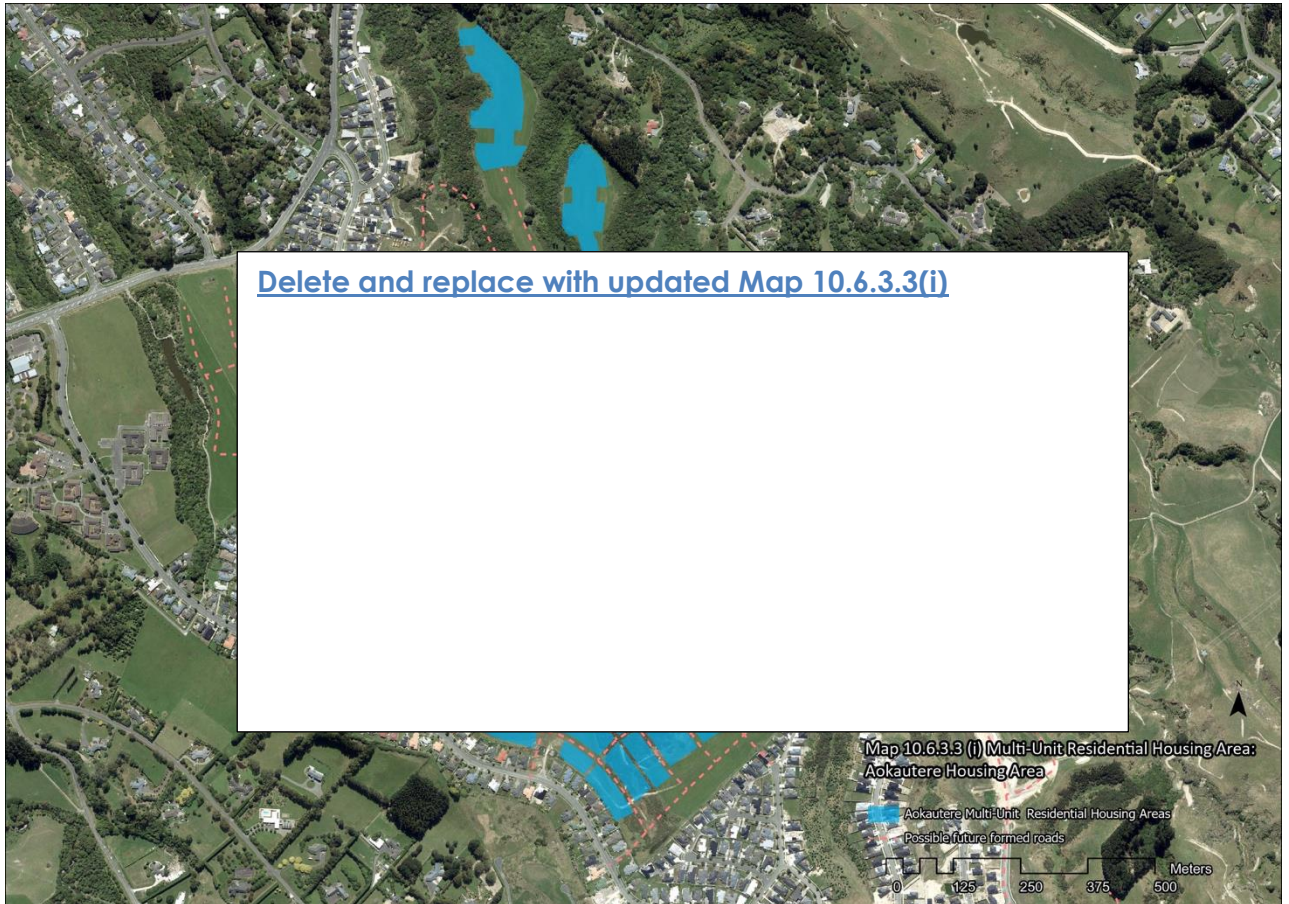
Map 10.6.3.3(g) Multi-Unit Residential Housing Area: Hokowhitu Lagoon Residential Area



Map 10.6.3.3 (h) Multi-Unit Residential Housing Area: Mātangi Residential Area



Map 10.6.3.3(i) Multi-Unit Residential Housing Area: Aokautere Residential Area



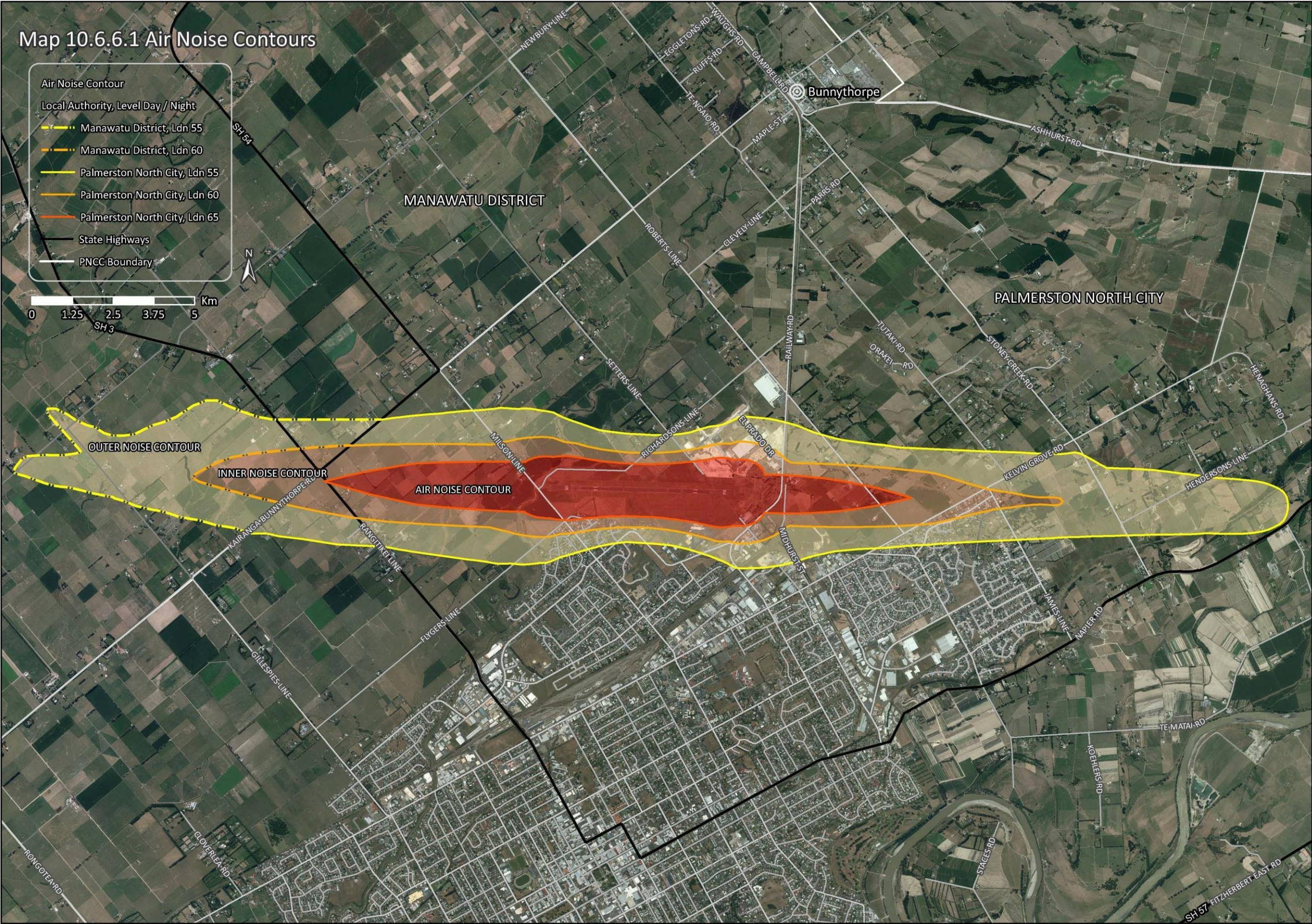
Map 10.6.3.5a Awatea Stream Ponding Area



Map 10.6.3.5b Jensen St Ponding Area



Map 10.6.6.1 Air Noise Contours



SECTION 11:

BUSINESS ZONES

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11. BUSINESS ZONES

11.1 Introduction

11.1.1 FUNCTION OF BUSINESS AREAS

Business areas are primarily places of employment, exchange of goods and services, and social interaction. As well as providing a social focal point for the community, business areas are places where large numbers of people go to work, to do business, to shop or to be entertained.

Business areas provide for the community's social and economic wellbeing by providing an important focal point, which helps to create a sense of place for the City. Efficiency benefits are gained from a centralised shopping area, providing a central point for the community to travel to and shop, rather than making multiple cross-City trips to purchase goods and services from individual retail stores.

The City's business areas are a substantial physical resource in their own right. Business activities make an important contribution to the social and economic welfare of the City. In this regard, it is important that business areas remain vital and viable, and that existing land, buildings and infrastructure are efficiently used. The physical resources of the City's business areas are found in publicly and privately funded infrastructure such as roads; buildings; community and cultural facilities; street amenity works and reserve areas. In particular, considerable expenditure of public money has provided for major infrastructure and amenity improvements within the city centre, based on maintaining and enhancing a vital and vibrant city centre. Well-designed retail and other commercial developments, together with public spaces, have an important role in maintaining and improving the environmental quality and attractiveness of the City's business areas.

11.1.2 REGIONAL AND LOCAL CONTEXT OF BUSINESS AREAS

Palmerston North City, with a population of approximately 82,000 people (as at 2012), is the 8th largest local authority in New Zealand and accounts for a 1.9% share of the New Zealand population. The City's share of economic activity is significantly higher than its population share, which is reflected in the higher Palmerston North City share in national data for employee numbers, employee earnings, visitor numbers and retail sales. The City is the 10th largest local authority for employment, with 20% of its workforce living outside the City. The Palmerston North retail sector accounts for 17% of total employment in the City and 11% of the City's earnings. The City accounts for 2.4% of the national retail workforce (number of jobs) and 2.7% of retail earnings (salaries, wages and self-employment income).

Data collected between 2000 and 2010, shows Palmerston North has been steadily increasing its share of national retail employee earnings and retail turnover, reflecting the growth of Palmerston North as a significant regional retail centre. To give context, Palmerston North, given its extent and regional influence, represents the largest provincial retail catchment in New Zealand.

The City's business areas function as a regional commercial centre for the Manawatu region, providing an extremely wide range and choice of leading retailers in all categories. There is a very full representation of retail banners and a substantial depth of retail space in the City's business areas. Below this the City contains local business areas that are dispersed throughout the City's residential neighbourhoods and play a convenience role serving local suburban catchments.

11.1.3 NATURAL HIERARCHY OF BUSINESS AREAS

The compact shape of the City's urban development has discouraged the growth of significant suburban retail and service nodes on the periphery of the City, outside of the local convenience-based services and retail located throughout the City's suburban areas. Retailing and associated commercial activities have therefore focused around the historical city centre and gradually expanded from the core to form a naturally evolving hierarchy of business areas radiating from the centre of the City.

Business activity is concentrated within a hierarchy of four distinct business areas of the City. The hierarchy of business areas include the inner Central Business District (CBD), the outer CBD, the fringe, and local business areas. The Central Business Area (CBA) is made up of the inner CBD, outer CBD and fringe business areas.

The highest level business area is the inner CBD, commonly referred to as the city centre. Palmerston North's city centre lies at the hub of the City, with its core centrally focused on the Square. It is characterised by compact and contained urban form, and represents the prime retail, office, entertainment, cultural and pedestrian related retail focus of the City. The pedestrian focused area is characterised by a concentration of diverse business activities that are complemented by important amenity features such as the Square. The city centre represents the commercial heart of the City.

The outer CBD is located around the periphery of the city centre and extends out along arterial roads that function as main entrances to the City. The outer CBD is extensive in area and is located on generally larger lots when compared to the finer grained subdivision pattern of the city centre. The built environment is characterised by low-rise and space extensive development with on-site parking, and convenient access to arterial roads. Activities are generally vehicle orientated in nature and consist of a diverse range of retail, office, commercial service and light industrial activities.

The outer CBD functions as a less intensive, less integrated and more directly vehicle orientated extension of the inner CBD. It functions as an integral part of the CBD by providing for a scale and form of activities that are not able to be accommodated in the inner CBD.

The third level business area within the hierarchy is the fringe business area. The fringe business area is located on the northern periphery of the outer CBD. Similar to the outer CBD area, the fringe extends along an arterial and main road entrance to the City (Rangitikei Street) and is characterised by larger lots. Since 2008, the area is transitioning from traditional commercial service, light industrial and vehicle sales and service activities to vehicle orientated, space extensive retail activities.

A key feature of the CBD is the strong spatial connectivity between the three business areas with the city centre located at its core – collectively they form part of a cohesive central business district.

The fourth level of business activities within the hierarchy are the City's local business areas. The primary purpose of the City's local business areas is to provide for the day-to-day shopping and service needs of surrounding residential areas. The City's local business areas are local centres that include a range of small shops, professional services, and in some cases a small supermarket of a local nature, serving their surrounding suburban catchment.

In general terms, the City's business areas provide complementary environments of a pedestrian orientated city centre, fringed by larger, more directly vehicle orientated, business areas, and supported by peripheral suburban centres.

11.1.4 DISTRICT PLAN APPROACH TO MANAGING BUSINESS AREAS

The District Plan strategy for the City's business areas is underpinned by the overall objective to achieve the sustainable use and development of physical resources within the City's business areas. The strategy seeks to promote the efficient use and continued viability of existing physical resources through the existing hierarchy of established business areas within the City.

Since the mid-1990s, the nature and scale of retailing formats changed. There has been a significant shift towards a larger scale, vehicle orientated, and more autonomous retailing format. The growth in retail floor space within the City has trended towards the provision of large format retailing in the outer CBD and fringe business areas, and industrial areas of the City.

The conflict between the increasing popularity of large format retail activities locating in the fringe of the City's business and industrial areas, and the traditional grouping of shops and services in the pedestrian oriented city centre has the potential to undermine the established hierarchy of business areas within the City.

The inability of the city centre to provide suitable sites for large format retail has meant that areas supported by pedestrian orientated, core retailing activities are vulnerable to the adverse effects associated with significant ad hoc retail dispersal to the fringes of the City. A major dispersal of retailing and associated activities from the city centre could potentially lead to the inefficient use of existing physical resources, and consequentially result in the decline in the pedestrian amenity of the city centre.

To reinforce the existing hierarchy of business areas the Plan actively manages the distribution, scale, and form of business activities throughout the City. The hierarchy of business areas are managed so that large format retailing formats are enabled in a way that does not create retail dispersion from the city centre.

The Plan envisages the greatest diversity, scale and intensity of activities to occur in the city centre. It should provide the greatest concentration and scale of buildings and promote a pedestrian focused retail environment which maintains the compact, convenient and vibrant character of the area. It is anticipated that retailers and associated service activities requiring larger floor areas and convenient access to arterial roads will locate in the outer CBD and fringe business areas. Conversely, smaller scale convenience-based retail and services that serve suburban catchments are anticipated to locate within the dispersed local business areas.

The framework of regulatory controls governing the City's business areas remains flexible and responsive to the on-going change in methods of delivery of goods and services by businesses. However, the regulatory controls manage this dynamic in a way that does not disenfranchise the community through the undermining of existing physical resources.

11.2 Business Zone Resource Management Issues

The following resource management issues have been identified in the Business Zones:

1. The need to enable a wide and diverse range of business activities, and to accommodate changes within a dynamic commercial and economic environment.
2. The inefficient use of existing infrastructure and development within the City's business areas.
3. The maintenance of a compact, intensely developed, vibrant and pedestrian-orientated retailing precinct in the city centre.
4. The vulnerability of the city centre to the adverse environmental and resource effects associated with ad hoc retail dispersal.

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5. A lack of an integrated approach to managing retail activity which differentiates the complementary business areas could result in unanticipated adverse effects, particularly on the amenity of the city centre.
6. The impact of new building development and alterations to existing buildings on the special character, amenity and heritage values of the city centre and local business areas.
7. Managing the adverse effects of activities and/or development on neighbouring residential areas.
8. Large format retailing activities can potentially have greater levels of adverse effects on nearby streets and adjacent residential environments when compared to smaller retail activities.
9. Provision of safe, accessible and convenient pedestrian linkages.
10. The adverse environmental effects of large buildings have a more lasting and dominant presence in the urban environment and a potentially greater influence on urban design outcomes in the City's business areas than smaller developments.
11. Maintaining the convenience and opportunities offered by local business areas in serving their local catchments.
12. Within the City's local business areas, the potential for poor connectivity between the activities within the neighbourhood centres and between those centres and the local catchments they serve.

Explanation

As described in the introduction, the City has a natural hierarchy of business areas. An important element of the Plan's objective to sustainably manage the use and development of business area resources is the consolidation and strengthening of the existing hierarchy of business areas, as a critical element to achieving the objective of maintaining the vitality and viability of the city centre.

It is important that the City's business areas are able to accommodate a wide and diverse range of business activities. Enabling a broad range of activities promotes the efficient use of physical resources that flows from the co-location of complementary activities. This approach also provides flexibility for the market to respond to an increasingly dynamic and globalised marketplace.

The resource management issues above tend to focus on this issue of avoiding retail dispersion and encouraging a compact central city to ensure that the existing physical resource is most sustainably managed.

The City has at present a very compact pedestrian-orientated city centre area. Within this area, there is a strong concentration of retail, entertainment, cultural, civic and office activities which are complemented by a range of service activities. These activities, with the buildings and structures in which they are located, represent a significant physical resource for the City, which has over the years had important implications for the development of the City as a whole. The concentration of retail activities in particular, and the lack of dispersed retail centres on the periphery of the City, has assisted in maintaining the compact form of the City. This has been complemented by the promotion of infill throughout the residential area, which has helped to avoid unconstrained peripheral growth and the energy inefficient journeys which such growth promotes. It also assists in ensuring that the already developed physical resource within the city centre is put to the best use and does not remain empty and unused as it would if peripheral retail centres were allowed to develop.

There is a strong mix of heritage buildings throughout the city centre, particularly within the Coleman Place, George and Cuba Street Heritage Area. Many of the existing buildings are visual reminders of the past which add to the sense of diversity and attractiveness of the city centre. It is important that new building development does not compromise the context, setting and streetscape of heritage buildings and areas within the city centre.

The issues also address the need to manage the adverse effects of buildings and business activities on adjoining sensitive residential areas. Buildings and business activities can, if not appropriately managed, give rise to adverse effects on neighbouring residential areas. This can include the effects of building height, form and design, and the effects of activities such as noise, hours of operation and traffic generation. The environmental effects from large format retail activities on nearby

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residential areas are of a greater scale and intensity when compared to the effects of smaller business activities. It is recognised that this interface needs to be carefully managed so that residential amenity is maintained.

Many of City's business areas are made up of large blocks. Pedestrian links between the city centre and fringe business areas should where possible be strengthened, in particular with adjoining fringe areas with pedestrian links from residential areas.

Experience in Palmerston North demonstrates that large buildings can be poorly designed and sited, significantly compromising the quality of the public environment. Poor urban design outcomes are more obvious where they are associated with large scale buildings, which contain high intensity use and are often visually dominant.

Within the Local Business Zone, the issues are similar but on a correspondingly smaller scale. These areas are important in providing retailing services to adjoining residential areas and in providing "start-up" premises for smaller businesses. The growth in larger scale retailing has put pressure on the viability of such areas and consequently a major issue is the need to ensure the on-going viability and use of the resources within the Local Business Zone.

11.3 Overarching Business Zone Objective and Policies

OBJECTIVE 1

To enable the sustainable use and development of physical resources by reinforcing the existing hierarchy of business areas within the City.

POLICIES

- 1.1 To apply a hierarchy of business zones as follows:
 - Inner Business Zone
 - Outer Business Zone
 - Fringe Business Zone
 - Local Business Zone.
- 1.2 To reinforce the existing hierarchy of business zones as an important element of the District Plan's strategy to sustainably manage the use and development of physical resources.
- 1.3 To ensure an integrated approach is taken to managing retail activity by maintaining clear distinctions between the component business zones of the City's business areas.
- 1.4 To enable a sustainable distribution, scale and form of business activities which meet the economic needs of businesses, and provide the community with convenient access to goods, services, and opportunities for social interaction.

Explanation

The sustainable use and development of physical resources underpins the Plan's resource management approach within the City's business areas. An important element of this approach is the existing hierarchy of complementary business zones. The component zones within the hierarchy include the Inner Business Zone (also referred to as the "city centre"), Outer Business Zone, Fringe Business Zone, and Local Business Zone. The sustainable management of the City's Business Zones involves an integrated approach to managing the distribution, scale, and form of business activities to meet commercial and social needs of the City. (Objective 1)

The primacy of the Inner Business Zone within the hierarchy of business zones reflects its role as the commercial heart of the City. The Plan provides for the greatest diversity, intensity and scale of use and development to occur in the Inner Business Zone. The Outer Business Zone provides for a less

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concentrated form of space extensive, low-rise and vehicle orientated development. The diverse range of retail, office, light industrial and commercial service activities complements the function of the neighbouring Inner Business Zone. The third component of the hierarchy of business zones is the Fringe Business Zone. As part of the integrated approach to managing retail activities within the City's business zones the Fringe Business Zone provides for large format retail activities but not on a scale that adversely affects the Inner Business Zone's function as the primary retailing precinct in Palmerston North. (Policy 1.1)

The last component of the business zone hierarchy is the Local Business Zone. The Local Business Zone provides business areas that serve the City's suburban areas. The primary purpose of the Local Business Zone is to provide for the day to day shopping and service needs of surrounding residential areas. In this regard, the local business centres identified within the Local Business Zone provide local employment opportunities and an accepted service function within the City's residential areas. The Zone controls the size of business activities so that space extensive business activities do not crowd out the provision of a wide range of smaller locally focused retail services. (Policy 1.1)

The Plan seeks to achieve the sustainable use and development of physical resources by reinforcing the existing hierarchy of business areas within the City. To achieve this, the Plan seeks to manage the distribution, scale and form of business activity in a way that meets the needs of both businesses and the community. A supporting component of this approach is to ensure an integrated approach is taken to managing the distribution, scale and form of retail activity throughout the City's business zones. (Policies 1.2 to 1.4)

11.4 Inner Business Zone

Introduction

The structure of business zone provisions collectively promote the maintenance of the Inner Business Zone as the commercial heart of the City. Inner Business Zone provisions recognise that a high quality public environment attracts people and consequently contributes to social vitality and commercial success of the city centre.

The Inner Business Zone, commonly referred to as the city centre, is centrally focused on the Square and is contained within the Ring Road, being Walding/Grey Streets; Princess Street; Ferguson Street and Pitt/Bourke Streets. In contrast to the Outer Business Zone, the Inner Business Zone does not share an interface with residential areas.

Palmerston North's Inner Business Zone is unique in New Zealand, in that, at its very heart, there is a large reserve – The Square. The city centre has developed around The Square, resulting in a relatively dispersed commercial centre. The Zone is characterised by a mixture of high and low rise office development of mixed age and style.

The urban form of the Inner Business Zone is contained, compact, and exhibits a relatively fine grained subdivision and land use pattern. The Zone contains a diverse range of pedestrian oriented activities. It is characterised by a variety of comparative retailing including specialist or boutique retailers; supermarket; food; and destination specific retailers; a wide range of entertainment activities; major civic buildings; and the Square – an important amenity feature and focal point for the city centre. Public investment in the Square has enhanced the memorability of the city centre, creating a visual focus on landmark elements within the core of the City, including; the World War I Memorial; the Statue of Te Peeti Te Awe Awe; the Clock Tower; and the Coronation Memorial. The Square also contributes to the cultural expression and recreational potential of the City.

Parts of the Inner Business Zone have their own distinct character due to the concentration of like activities. In particular, the Zone has an identifiable south-eastern retail focus in the form of the Plaza and a north-eastern retail area extending along Broadway Avenue. A substantial fringe area in the north-eastern part of the Inner Business Zone is occupied by the Universal College of Learning (UCOL), which brings diversity and enhanced vitality to the city centre. It is unique in that it functions as a student precinct within an otherwise commercially focused business area. UCOL is a significant investor and important contributor to the success of the city centre.

Core retailing is not strong to the west of the Inner Business Zone, activities are predominantly a mix of retail; cafes; restaurants; personal and professional services; community; and civic activities. The George Street area contains a distinctive fine grained land use pattern of boutique retail and café activity anchored by the Palmerston North City Library and Harvey Normans. Civic and cultural activities are concentrated on the block to the west of the Council building, bounded by the Square, Pitt, Main and Church Streets. This area represents an important centre of cultural activity for the City.

To date the success of the Inner Business Zone has been largely attributable to:

- Its relatively contained and compact form as evidenced by the significant concentration of commercial buildings and activities located within the Inner Business Zone;
- A critical mass of diverse retail, community, education, civic and office activities;

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- Substantial public and private expenditure invested in buildings and infrastructure such as public space, roading, vehicle parking, public art and streetscape improvements (e.g. The Square, Broadway Avenue, George Street, and the south-western side of the Square between Church and Main Streets), and social, education, and cultural facilities (e.g. Library, Te Manawa, Universal College of Learning and Square Edge);
- Convenient access for pedestrians, cyclists and motor vehicles;
- Limited barriers to new business entry and an adequate level of vacant floor space or under-utilised land available for re-use or redevelopment;
- The absence of strong competition from competing suburban centres, this being a consequence of previous commercial containment policies which recognise the adverse impacts associated with permitting extensive peripheral retail development to occur.

In order to ensure that the city centre is managed in an efficient and sustainable manner, the District Plan focuses on the maintenance and reinforcement of these key attributes. Consequently, the extent of the Inner Business Zone has been contained so that development is concentrated in and around the Square. The Zone has a tightly defined geographical area, which promotes a compact and pedestrian focused environment with high levels of public space amenity.

The Inner Business Zone provides for a wide and diverse range of business activities while continuing to ensure high standards of environmental quality are maintained. With regard to land use, the Zone exerts minimal direct control over the location of activities. Performance standards are set for noise, lighting, signs, hazardous substances, and storage areas, to promote acceptable standards of environmental quality.

However, where new building development is proposed, the District Plan requires private development to contribute to a high quality public environment. Targeted rules deal with the siting, design and appearance of new buildings so that the desirable qualities of existing urban form are maintained or enhanced. The District Plan has strengthened provisions relating to street edge treatment of buildings within all parts of the Inner Business Zone and requires all activities to contribute to the quality and attractiveness of the wider street environment.

In the north western area of the Square, there is a collection of heritage buildings that together form a coherent group of buildings of a similar age, general style, form and scale. The area, bounded by The Square, George Street, Coleman Place, and north Cuba Street comprises a Heritage Area and specific rules require new development to be compatible with the existing built form of the area and its heritage buildings.

As the commercial heart of the City, the Zone emphasises the importance of buildings positively addressing the Square. This approach supports investment in and around the Square and takes advantage of the existing public investment in its quality, and its function of hosting activities that contribute to the life of the City.

Since the mid-1990s, the expansion of large format retailing in the Outer, Fringe and Industrial Zones of the City has geographically expanded the City's retail base. In recognition of this trend, the Plan actively manages possible adverse distributional effects associated with future retail dispersal away from the city centre.

Noise levels in the Inner Business Zone are designed to allow most activities to occur. However, noise sensitive activities (including residential accommodation) are required to provide acoustic insulation to mitigate potential reverse sensitivity effects that may constrain business activities commonly associated with the city centre.

11.5 Inner Business Zone Objectives and Policies

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

OBJECTIVE 1

To enable a wide range and diversity of business, community and cultural activities in the Inner Business Zone while managing the adverse effects of incompatible activities.

POLICIES

- 1.1 To provide for a wide range of activities within the Inner Business Zone provided the performance standards specified in the Plan are satisfied.
- 1.2 To promote the ability to change the use of buildings by ensuring frequent entries are provided at the street edge and the provision of ground level stud heights that are sufficient to allow for retrofitting for other uses.
- 1.3 To require that any residential activity within the Inner Business Zone be above ground floor level.
- 1.4 To ensure that all residential accommodation within the Inner Business Zone is designed with a high level of amenity.
- 1.5 To ensure that appropriate on-site measures are taken to protect residential and any other noise sensitive activities that locate within the Inner Business Zone from any intrusive noise effects.
- 1.6 To discourage the establishment of activities which will have an adverse effect on the amenity values associated with the Inner Business Zone.

Explanation

A diversity of uses makes an important contribution to the vitality and viability of business areas. Providing for a wide range of activities offers the market a broad range of business opportunities. Enabling a diverse range of activities provides flexibility for business activities to adapt to change in a rapidly changing and dynamic marketplace. The existence of a diverse range of activities such as retailing, entertainment, office, educational, cultural and residential use attracts a broad range of people and ensures the city centre is attractive and occupied over a greater part of the day. This makes the city centre more interesting, safer, and creates an atmosphere that will help to attract and retain people to Palmerston North. (Objective 1 and Policy 1.1)

An important consideration in building design is the adaptability of a building over time to accommodate a range of different uses. The provision of frequent entries at the street edge and a greater ground to first floor interstorey height helps to facilitate future change of use at the street edge, particularly retail use. A floor to floor height that allows for a variety of activities will give a sense of spatial generosity and help to ensure that building frontages at the street edge are capable of accepting a range of uses including retail or food and beverage outlets. This will typically be higher than the floor height necessary for upper floors and should provide enough space and configuration that allows future installation of an extract ventilation system. This approach recognises that a greater ground to first-storey height is both typical and traditional along main streets in city centres. (Policy 1.2)

Residential activity ensures there are people in the city centre throughout the day and night and contributes to safety and support for local retail services. Residential activity provides locations and choice for user groups such as students who will help vitalise the city centre. However, to attract and retain residents within the city centre, dwellings should provide a high level of internal amenity. Residential activity at ground level is discouraged because it compromises the quality of the street edge. Residential development is required to provide acoustic insulation to mitigate potential reverse sensitivity effects that may constrain business activities commonly associated with the Inner Business

Zone. (Policies 1.3, 1.4 and 1.5)

It is important that the high standard of functional and visual amenity provided for within the city centre is maintained. To counteract the potential erosion of amenity that might arise as a consequence of allowing a relatively unrestricted range of activities to establish in the Inner Business Zone, activities which are offensive in nature or which involve industrial processes are restricted or discouraged. (Policy 1.6)

OBJECTIVE 2

To enable the efficient use and continued viability of the existing physical resources of the Inner Business Zone.

POLICIES

- 2.1 To maintain and enhance the multi-functional nature of the city centre by providing for a diverse range of activities within the Inner Business Zone.
- 2.2 Ensure that retail activity remains a core function of the city centre and continues to underpin the vitality and viability of the Inner Business Zone.
- 2.3 To require as a key aspect of maintaining the continued vitality and economic viability of the Inner Business Zone well designed public spaces and buildings which are:
 - Fit for purpose
 - Comfortable
 - Safe
 - Attractive
 - Accessible
 - Durable.
- 2.4 To control the establishment of vehicle intensive activities where traffic generation is likely to have adverse effects on the safety and efficiency of the transport network and on the amenity of the Inner Business Zone.

Explanation

The overarching business zone objective seeks to achieve the sustainable use and development of physical resources by reinforcing the existing hierarchy of business zones within the City. As the highest level business zone within the hierarchy, containing a significant level of private and public investment, it is important that the physical resources of the Inner Business Zone are efficiently used and continue to be viable. (Objective 2)

The Inner Business Zones functions as an economic and social node for the City. The city centre provides for a diverse range of commercial, civic, cultural, entertainment, recreational and residential activities. The multi- functional nature of the Zone provides economic opportunity and employment while also contributing to the City's sense of place and cultural expression. (Policy 2.1)

Recognising retail activity as a core activity of the city centre, the Plan places emphasis on the Inner Business Zone as the primary business centre for the City and seeks to ensure retail development elsewhere in the City does not undermine the economic and social function of the city centre. (Policy 2.2)

A key aspect of maintaining the continued vitality and economic viability of the Inner Business Zone is the provision of an urban environment that encourages people to want to work, live, visit and shop there. Well- designed public spaces and buildings are critical to securing and sustaining the on-going economic and social benefits associated with the function of the city centre. (Policy 2.3)

Pedestrian priority in the city centre means high traffic generating activities need to be carefully managed. Supermarkets, shopping malls and department stores are all forms of retail activity which are high generators of vehicle traffic. Development should be located and designed in such a way that potential adverse effects on the road network, particularly traffic movement, efficiency and

safety, and adverse effects on pedestrians and passenger transport users are appropriately managed. (Policy 2.4)

OBJECTIVE 3

The Inner Business Zone is the economic, social and cultural focus of the City and provides for the greatest diversity, scale and intensity of activities and development.

POLICIES

- 3.1 To enable the greatest diversity, scale and intensity of activities to occur in the Inner Business Zone.
- 3.2 To provide for the greatest concentration and scale of buildings to occur in the Inner Business Zone.
- 3.3 To promote an enhanced pedestrian orientated mixed use environment that maintains the compact, convenient and vibrant character of the Inner Business Zone.
- 3.4 To reinforce the compactness and convenience of access within the Inner Business Zone.

Explanation

The Inner Business Zone is recognised as the principal retail, administrative and entertainment hub for the City and the wider region. The city centre has the largest concentration of commercial and administration activities in the City. It is also notable for its important civic and cultural facilities, and heritage buildings. There has been substantial investment in the Inner Business Zone by both private and public sector interests in the past, in a wide range of activities. As a result, the city centre has a diverse range of activities occurring within it. The effects of those activities in terms of scale and cumulative effects are unique within Palmerston North. Maintaining the Inner Business Zone as the principal economic, social and cultural focus of the City recognises the existing built infrastructure and social function of the city centre. (Objective 3 and Policy 3.1)

The Inner Business Zone's central focus on the Square; its compact and contained urban form; concentration of buildings; and its pedestrian-orientated retail and cultural activities provides a city centre that is a physical focal point in the geographical centre of Palmerston North. This has a significant degree of visual prominence given the flat setting of the City. Maintaining the opportunity for the greatest concentration and scale of buildings to establish in the city centre will enhance its role as the economic, social and cultural focus of the City. A supporting component to maintaining the primacy of the Inner Business Zone is providing for opportunities for the greatest diversity, scale and intensity of development and activities to occur in the city centre. (Policies 3.2 and 3.3)

A compact primary pedestrian area in the city centre ensures that activities meeting the needs of workers, shoppers, visitors and tourists are easily accessible and within comfortable walking distance from each other. Full utilisation of development opportunities is encouraged within a compact, defined area of the city centre for the convenience of all users, particularly at ground floor level. This promotes a convenient and safe environment within the core city centre. (Policy 3.3)

The Inner Business Zone is at the heart of the City geographically and with respect to the grid patterned road network and is easily accessible from all areas of the City. The development of a compact city centre within a consolidated urban area, with opportunities for public transport is an energy efficient way of using energy for movement of people within Palmerston North. (Policy 3.4)

OBJECTIVE 4

The Inner Business Zone has a pedestrian focused environment that is pleasant, safe, convenient, compact and interconnected.

POLICIES

- 4.1 To provide a high level of pedestrian convenience and safety while minimising the adverse environmental effects of vehicle traffic.

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- 4.2 To ensure that a core pedestrian area is provided in the Inner Business Zone that is compact, conveniently interconnected, pleasant, safe and has a high level of landscape design.
- 4.3 To ensure that building development in the Inner Business Zone maintains and enhances a safe, convenient and pleasant pedestrian environment.
- 4.4 To promote building frontages that include publicly relevant activity and strong visual connections with the street.
- 4.5 To require buildings and development on large blocks to provide attractive and safe mid-block pedestrian linkages between known or predicted destinations.

Explanation

The central city is where most people are on foot. In this regard, convenient, relatively close spaced and safe routes are required to provide good pedestrian access to central city activities. The core pedestrian area is located around the Square, Broadway Avenue, Church Street, Main Street, George Street and Coleman Place and contains existing pedestrian facilities orientated towards pedestrian activities. (Objective 4)

A compact primary pedestrian area in the Inner Business Zone ensures that activities meeting the needs of workers, shoppers, visitors and tourists are easily accessible and within comfortable walking distance from each other. A well-defined pedestrian environment that is compact, convenient, interconnected, pleasant and safe is critical to the on-going vitality and viability of the Inner Business Zone. A compact pedestrian area also provides opportunities and advantages for business activities. Compactness provides convenience, which is essential for attracting people to the city centre and promoting street life. Well considered landscape design encourages connectivity through the provision of quality paving and hard landscaping elements. The economic and social interests of the City as a whole are promoted by providing a compact and convenient pedestrian area in the city centre. (Policies 4.1 and 4.2)

The Inner Business Zone is characterised by a wide range of business activities. However, this mix of use and the associated vehicle traffic and servicing operations can lead to a loss of pedestrian amenity and potential conflict between pedestrians and traffic. It is important that buildings and activities do not cause adverse impacts on pedestrian access, safety, interconnectedness, and convenience in the city centre. (Policy 4.3)

Building frontages with strong visual connections with the street that offer views into publicly relevant activity such as retail, main entry lobbies and other spaces strengthen pedestrian amenity in the Inner Business Zone. Publicly relevant activities are generally accessible to the public during the working day. Servicing and other 'back of house' activities are not publicly relevant, nor are functions within a building that require visual privacy. (Policy 4.4)

An important component of providing for a pedestrian focused environment in the Inner Business Zone is the provision of mid-block pedestrian links, particularly on large blocks. Mid-block links provide convenient pedestrian access throughout the city centre and encourage people to walk rather than use their cars for simple walking journeys. Mid-block links become very important with very large developments that often occupy large blocks. In order to promote accessibility, and a safe and convenient environment for pedestrians in the city centre, mid-block links should be promoted where appropriate, for example where a block is larger than 120 metres in any direction. It is also important that mid-block links contain qualities associated with activity at edges, sunlight exposure and safety to ensure the link is of a high quality. (Policy 4.5)

OBJECTIVE 5

Activities and development recognise and enhance those characteristics, features and areas within the Inner Business Zone that contribute positively to the City's distinctive character and sense of place.

POLICIES

- 5.1 To promote a sense of place in parts of the Inner Business Zone that have a recognisable identity.

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- 5.2 To preserve the present compact and convenient urban form of the Inner Business Zone.
- 5.3 To encourage tall buildings to be located within the Inner Business Zone.
- 5.4 To promote building development in the Inner Business Zone which respects the historic character of surrounding buildings or heritage areas.
- 5.5 Recognise the value and contribution of education and training activities undertaken by the Universal College of Learning and to facilitate the potential intensification and expansion of its activities, including minor ancillary works, while ensuring a high quality public environment is achieved.

Explanation

Many parts of the Inner Business Zone contain distinctive and memorable groups of buildings, streets and areas that contribute the City's identity. These areas include:

- *The Square*
- *The UCOL campus*
- *The North West Square Heritage Area*
- *The main entry axes of Main and Rangitikei Streets and Fitzherbert Avenue*
- *Broadway Avenue*
- *Te Manawa*
- *Heritage buildings at the eastern end of Church Street including - the Former Club Hotel; First Church of Christ Scientist; Manawatu Kilwinning Lodge; Former Baptist Church (Abbey Theatre); and St Andrews Church.*
- *Heritage buildings at the western end of Church Street including – Square Edge, All Saints' Church and The Grand Hotel.*

It is important that development and activities recognise and enhance those characteristics, features and areas within the city centre that contribute to the City's identity. (Policy 5.1)

Preserving a compact urban form alongside encouraging the tallest buildings to locate in the city centre will help maintain and enhance the concentration of activities within the Inner Business Zone. This approach fosters a diverse mix of conveniently co-located uses. Concentration of activity and people supports the small scale retail activity that occurs here and complements larger retailers. Tall buildings here will also signal the centre of the city. (Policies 5.2 and 5.3)

Heritage buildings contribute to the identity of the city centre and are typically characterised by relatively narrow frontages and small floor plates that contribute both visual interest and accommodate diversity of activity with small business occupants. (Policy 5.4)

The Universal College of Learning (UCOL) is unique in that it functions as a major education provider within an otherwise commercially focused business area. UCOL provides education and training services rather than commercial activities. Expansion of UCOL and other education providers can enhance the vitality and function of the city centre. Development should be appropriate for the intended educational and training use while ensuring a quality public environment is achieved. In terms of the wider built environment, a mix of building types and treatments for non-commercial facilities adds to the richness and diversity of the city centre. For these reasons special provision is made for UCOL within the Inner Business Zone. (Policy 5.5)

OBJECTIVE 6

All buildings in the Inner Business Zone contribute to a high quality public environment, particularly those buildings fronting the Square.

POLICIES

- 6.1 To enhance the public environment of the Inner Business Zone by guiding the design of

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new building development, and enhancing the accessibility and usability of buildings, and their relationship with public space and publicly used private space.

- 6.2 To require high quality building design within the Inner Business Zone that acknowledges, and responds to, the context of the site and surrounding environment.
- 6.3 To enhance the visual quality and design of ground floor level developments fronting streets, public space and pedestrian thoroughfares, in particular to require all buildings to be built to the street edge, and characterised by active street edge treatments, particularly those sites fronting The Square.
- 6.4 To require the provision of continuous shelter along all Pedestrian Streets (see Appendix 20A.4, Land Transport Section), and ensure pedestrian shelter is provided in a way that creates an environment that will attract pedestrians.
- 6.5 To ensure that in providing pedestrian shelter any adverse effects on the architectural integrity of a building to which the shelter is being affixed, and any effects on public amenity, public safety and the informal surveillance of public spaces are managed.
- 6.6 To ensure the design of new buildings and any addition or alteration of existing buildings reduces the actual and potential threats to personal safety and security, and that public spaces, including privately owned spaces that are characterised by patterns of public use, are suitably designed and lit.

Explanation

A high quality public environment attracts people and consequentially contributes to social vitality and commercial success. Streets and public spaces can be degraded by either a single poor development, or alternatively the incremental effect of a number of substandard developments. In particular, buildings form the edges of public space, and the quality of this edge must be considered in all cases. The quality of the public environment has impacts on perceptions of vitality and safety in the city centre. (Objective 6)

All buildings in the Inner Business Zone, particularly sites fronting the Square, should front the street in a manner that creates a high quality street edge treatment. A core principle within the Inner Business Zone is to require the front of buildings to be built to the edge of streets. Large or random edge setbacks should be avoided. Departure from this core principle is a matter of discretion. Common alignment and construction to the street edge will reinforce the local street grid and local system of public open spaces. Any departure should be to create a positive open space for public use. The Square is at the heart of the City. The importance of buildings and activities positively addressing the Square centres around maximising the amenity benefits of being close to or with outlook over the Square and its environs and contributing to enlivening these areas with people and activity. It is important that businesses are able to take advantage of the existing public investment in the Square's quality and its potential to host activities that contribute to the life of the City. (Policies 6.1, 6.2 and 6.3)

Pedestrian shelter is an important amenity consideration in the Inner Business Zone and is an important contributor to ensuring a high quality public environment is provided in the city centre. However, the provision of pedestrian shelter should not compromise the architectural integrity of a building, public amenity and safety, and the informal surveillance of public space. (Policies 6.4 and 6.5)

Urban design measures can minimise or reduce threats to personal safety and security. Certain design features such as potential for informal supervision of public space from within buildings and good lighting will contribute to a sense of safety and actual safety. Eliminating areas which might be used for concealment or entrapment also reduces the opportunity for crime to occur. (Policy 6.6)

OBJECTIVE 7

Tall and large buildings in the Inner Business Zone are characterised by quality design outcomes that ensure the avoidance of adverse effects on the visual character and amenity of surrounding buildings, streetscape and public areas.

POLICIES

- 7.1 To manage the adverse effects of building mass and height, including impacts on the visual character and amenity of surrounding buildings, streetscape and public areas.
- 7.2 To manage building mass in conjunction with building height to ensure high quality design outcomes.
- 7.3 To require high quality design outcomes for any building that is higher than the 15 metre height standard threshold for the Inner Business Zone.
- 7.4 To require consideration of wind mitigation measures during the early stages of building design and ensure that such measures are contained within the development site.

Explanation

Larger or taller buildings have greater visual effects and demand a greater attention to achieving good design outcomes. Recent experience in Palmerston North demonstrates that large buildings can be poorly designed, degrading the public environment. Very large buildings exceed a number of thresholds above which effects individually begin to be problematic, and which cumulatively can be significant. Buildings that are much larger or taller than those around have the potential, if not well designed, to cause significant adverse effects on neighbouring activities and surrounding streets and public spaces. These are more highly visible and typically occupy more of the street edge. (Objective 7)

The Plan takes a targeted approach to managing the environmental effects of tall and or large buildings. In this regard, buildings over 400m² and or taller than 15 metres in height require a restricted discretionary consent. The design of tall and or large buildings should have regard to issues such as; building mass and height; scale in relation to smaller neighbours; frontages and active edges; relation to streets and other public spaces; through site pedestrian links; and wind effects. The design of large and tall buildings should ensure buildings relate positively to the character of their setting; avoid visual dominance; provide attractive, accessible, safe and convenient mid-block links; and create visual interest and aesthetic coherence when viewed from the street and other public spaces. (Policies 7.1 to 7.3).

As buildings rise above neighbours the risk of creating adverse wind effects at ground level increases. New buildings and additions over the 15 metre height threshold are required to be designed in such a way as to avoid adverse wind speeds at ground level, and a wind tunnel test is required to demonstrate compliance with these requirements. (Policy 7.4)

OBJECTIVE 8

New buildings in the Inner Business Zone are energy efficient and environmentally sustainable.

POLICIES

- 8.1 To promote a sustainable built environment, involving the efficient end use of energy and the use of renewable energy, especially in the design of new buildings and structures.
- 8.2 To ensure all new buildings provide appropriate levels of natural light to occupied spaces within the building.
- 8.3 To enhance the quality and amenity of residential buildings in the Inner Business Zone by ensuring occupants have adequate access to daylight and sunlight.

Explanation

The Council has, through its Sustainable City Strategy, Urban Design Strategy and Economic Well-

Being Strategy, made a commitment to encourage energy efficiency and the use of renewable energy. With respect to the Inner Business Zone, this may be in the form of new development incorporating sustainable and energy efficient building design principles, and the use of renewable energy sources for space and water heating, and electricity generation. This may involve using passive design principles such as considering the orientation of openings to assist with solar heating, screening and shade cooling, and natural light and ventilation. Many of these activities may not require resource consent, but the Council recognises its responsibilities in terms being a role model and advocate to encourage the use of renewable energy and energy efficiency.

OBJECTIVE 9

To retain and protect heritage buildings and areas and respect the setting of heritage items and identified heritage areas in the Inner Business Zone.

POLICIES

- 9.1 To identify heritage areas that include groups of buildings, structures, spaces and other features which collectively have historic heritage.
- 9.2 To protect buildings, structures, spaces and other features that contribute to the value of heritage areas from demolition, destruction or relocation.
- 9.3 To maintain and enhance the heritage values, qualities and character of identified heritage areas.
- 9.4 To ensure additions and alterations to existing buildings, any new buildings or subdivision do not compromise the context, setting and streetscape value of adjacent heritage buildings and areas, through the management of building bulk and height.

Explanation

The Council has recognised the city centre as a heritage resource. The Plan contains methods that give greater recognition to heritage buildings and areas by ensuring new development does not compromise the context, setting and streetscape value. In particular, the North West Square Heritage Area recognises the importance of retaining this distinctive area in order to enrich the public built environment and enhance the special character of the City. The Heritage Area provisions protect the heritage values of existing groups of buildings and ensures that new development contributes to the qualities and values of the heritage area.

11.6 Inner Business Zone Rules

11.6.1 RULES: PERMITTED ACTIVITIES

R11.6.1.1 Permitted Activities

Any Activity Except For:

- Those Specified as Restricted Discretionary Activities or Discretionary Activities
- Offensive Activities, Industrial Activities, Crematoria and Residential Development at Ground Floor Level which are Non-Complying Activities

is a Permitted Activity, provided that the following performance standards are complied with:

Performance Standards

(a) Lighting

Car Park Lighting

- i. All external car parking areas must provide lighting designed and installed in accordance with the P11a lighting subcategory of AS/NZS Standard 1158.3.1:2005.

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- ii. Designated external car parking spaces specifically intended for people with disabilities must provide lighting designed and installed in accordance with the P12 lighting subcategory of AS/NZS Standard 1158.3.1:2005.
- iii. All internal car parking building areas must provide internal lighting designed and installed in accordance with AS/NZS Standard 1680.2.1:2008.

Pedestrian Lighting

- iv. All verandas must provide pedestrian lighting designed and installed in accordance with the P2 lighting subcategory of AS/NZS Standard 1158.3.1:2005.
- v. All public and private pedestrian routes must provide pedestrian lighting designed and installed in accordance with the P2 lighting subcategory of AS/NZS Standard 1158.3.1:2005.

Negative Effects of Exterior Lighting

- vi. All exterior lighting must be designed and installed to ensure compliance with AS Standard 4282.

White Light

- vii. All exterior lighting must use "white light" sources.

Explanation

Storage areas and particularly those used for the storage of waste, can detract from the visual amenity of public areas such as footpaths, roadways or reserves. While servicing might occur at the street edge, waste and storage areas should not be visible. If small areas are required for servicing or storage, these should be enclosed within the building.

Explanation

The lighting rules are designed to ensure that places available for public use are safely illuminated, and that the amenity of residential dwellers in any zone is reasonably protected. In all cases, the Council will seek to ensure public space is safely illuminated and that adverse effects of glare from lighting sources are appropriately managed.

(b) Storage Areas

- i. No outdoor storage areas are permitted at the street edge.
- ii. No outdoor or indoor storage areas are permitted to be visible from the street edge.

(c) Loading and Access

- i. Compliance with R20.4.2(a) Vehicle Access.
- ii. Compliance with R20.4.2(e) and (f) Loading Space Provision and Design.

(d) Vehicle and Cycle Parking

- i. Compliance with R20.4.2(b)(i) Parking Spaces for People with Disabilities.
- ii. Compliance with R20.4.2(b)(iii) Maximum Parking Provision Standards for the Inner Business Zone.
- iii. Compliance with R20.4.2(d) Formation of Parking Spaces.
- iv. Compliance with R20.4.2(g) Cycle Parking Provision and Design

(e) Car Park Landscape Design

Compliance with R20.4.2(c) Car Park Landscape Design.

NOTE TO PLAN USERS

Most activities in the Inner Business Zone are not required to provide on-site vehicle parking, but where parking is provided compliance is required with R20.4.2(a), R20.4.2(b)(i), R20.4.2(b)(iii), R20.4.2(c), R20.4.2(d), and R20.4.2(e) and (f).

(f) Signs

Compliance with R6.1.5.

Explanation

Signs are essential to the city's commercial character and activity. They communicate information, add vitality and provide a sense of direction. However, while they can enhance the cityscape, they can also diminish it. Advertising signs can be categorised into those that identify the building or activity; advertising related to the activity on the site; and 'third party advertising' signs. If related to the activity, signage can assist with way finding, and contribute to user understanding of the city. If not, like third party advertising, signage can compromise legibility, and risks visual cacophony.

(g) Hazardous Substances

Compliance with the provisions of Section 14 Hazardous Substances.

(h) Noise

Compliance with R11.6.6.1.

NOTE TO PLAN USERS

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

R11.6.1.2 Construction, External Alteration or Addition to a Building

The Construction, External Alteration or Addition to a Building is a Permitted Activity provided the following Performance Standards are complied with:

NOTE TO PLAN USERS

Plan users are advised to check the Schedule of Buildings and Objects of Cultural Heritage Value to ensure that the building is not subject to the additional provisions of the Cultural Heritage Section. In the North West Square Heritage Area all new buildings, any external alteration or addition to an existing building are Restricted Discretionary Activities – see R11.6.2.5.

Performance Standards for Permitted Activities:

(a) Maximum Floor Area

- i. The construction of all buildings with a total gross floor area of up to 400m² are permitted.
- or
- ii. In respect to existing buildings, any external additions or alterations involving an additional total gross floor area of up to 400m² are permitted.

Except where –

In the North West Square Heritage Area all new buildings, any external alteration or addition to an existing building are Restricted Discretionary Activities.

Explanation

The overall image and attractiveness of the street environment is an important factor in attracting people to the Inner Business Zone. The 400m² maximum floor area provision reflects the desirable and anticipated finer grain of activity in the Inner Business Zone, and the greater design sensitivity of this intensely developed and high amenity area. Most developments in the city centre are relatively small in scale and successfully integrate into their setting without compromising the street edge or amenity.

However, large development is the exception. Large development has been variable in its design outcomes and has led to poor urban environments. While providing for small scale development as a permitted activity, the 400m² maximum floor area provision also establishes a threshold that allows urban design matters to be taken into account when assessing land use consents for large development.

(b) Maximum Building Height

- i. Any buildings or structures must comply, in terms of maximum height, with R13.4.7.1.

Explanation

This performance standard sets a maximum height for any buildings or structures within the Inner Business Zone to prevent penetration of the Airport Protection Surfaces as set out in R13.4.7.1.

- ii. The maximum permitted height of a building is 15 metres.
Except that-
- iii. For tertiary education providers (as defined in the Education Act 1989) roof-top services and plant rooms may extend to 18 metres on the block bounded by Rangitikei, Queen, Princess and King Streets.

Explanation

While many buildings around and close to the Square rise above 15 metres, the majority of buildings in the Inner Business Zone are less than 15 metres high. Any building that rises significantly above those around will tend to be prominent in view and will cast longer shadows over streets and neighbouring sites as well as risk increased wind effects. Unless buildings are well-designed, as their height increases above neighbours, they may become unduly visually dominant and may cause adverse effects on daylight and privacy for neighbours. Any building or part of a building above 15 metres high therefore triggers a more detailed set of discretionary assessment criteria to allow these effects to be addressed.

The additional building height provided for tertiary education providers accommodates the optimal four storey development of educational facilities in one of the most intensively occupied blocks within the Inner Business Zone and allows for articulation of the skyline above.

(c) Maximum Building Height Adjoining a Scheduled Building

- i. Except in the North West Square Heritage Area, the maximum permitted height of any building or structure on a site which adjoins a scheduled building is no more than one storey higher than the scheduled building within a distance of 5 metres of the street frontage and along the common boundary or 15 metres, whichever is the lower.
- ii. The maximum permitted height of any building or structure on a site which adjoins the North West Square Heritage Area is no more than one storey higher than a neighbouring building in the North West Square Heritage Area within a distance of 5 metres of the common boundary.

Explanation

The fundamental way of managing the visual effects of new buildings to adjoining or adjacent scheduled buildings and areas is to manage the relationship of building scale. When considering character, relative rather than absolute height is important. Buildings of a height that greatly exceed

an adjoining scheduled building that gives an area its valued character will detract from that character.

(d) Minimum Building Height

- i. The permitted minimum height of any building or structure is 8 metres.

Except where –

- ii. All or part of a building or structure fronts the Square the permitted minimum height is 12 metres.

Explanation

The purpose of the minimum height standard is to encourage sufficient height at the building frontage to provide street definition and provide a sense of containment which contributes to the pedestrian amenity values of the street. The minimum building height standard also provides for reasonable spatial definition, relating building height to the width of the Square while not compromising sun and light to the Square.

Away from the Square in other parts of the Inner Business Zone, building development is characterised by single story buildings built to a two storey scale. This gives street definition and allows smaller buildings to sit comfortably beside taller buildings, maintaining the visual coherence of the street wall. Low single story development in this area would be out of character with the existing built environment.

(e) Ground Floor Height

On Pedestrian Streets, the permitted ground floor height of any building is to be not less than 1.3 times the floor to floor height of upper floors and is to extend the full width of the frontage and back a distance of not less than 12 metres.

Explanation

The purpose of the ground floor height provision recognises that a greater ground to first storey height is both typical and traditional along city centre streets. Greater first storey height helps accommodate a range of different future uses at ground floor level including food and beverage related retail. It also promotes active edges and facilitates change.

(f) Maximum Frontage Width

On Pedestrian Streets, the permitted maximum width of ground floor tenancies is 10 metres.

Explanation

The maximum frontage width reflects the existing fine grained frontage and lot widths within the Inner Business Zone. Because inactive frontages lack visual appeal and create an uninviting environment for pedestrians at the street edge wider frontages are subject to a higher level of scrutiny. The existing fine-grained nature of development is a critical component that contributes to the quality and attractiveness of the wider street environment.

(g) Building Frontages

- i. All buildings will be built to the front boundary at ground floor level and provide at least one pedestrian entrance at the street.
- ii. No building will create a featureless façade or blank wall at the ground level street frontage wider than 3 metres. A featureless façade or blank wall is a flat or curved wall surface without any openings or glazing.

(h) Display Windows and Glazing

- i. All buildings on Pedestrian Streets will provide display windows at ground floor level. This requirement does not preclude the provision of doors and supporting columns

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intruding into the area of display windows.

- ii. No display window or entrance to a building is permitted to be blocked off from view from the adjacent public space by the use of opaque roller shutter doors, opaque screens or similar structures or screening.
- iii. Transparent or semi-transparent security grills are permitted.
- iv. All buildings will provide clear glazing for at least 75% of its height for at least 75% of the ground floor building frontage.

Except where –

The building is not on a Pedestrian Street, the requirement in (iv) above may be reduced by one third.

Explanation

It is important to promote a pedestrian focused environment in the Inner Business Zone. Many of the Pedestrian Streets identified in Figure 20A.4 are characterised by what is essentially a fine grained and non- interrupted building frontage. This active edge provides an environment for pedestrians which is accessible, convenient and coherent and which, if broken, could adversely affect the vitality and visual qualities of the Inner Business Zone.

Requiring buildings to be built to the street front with a high degree of openings and glazing (and conversely limited blank walls) is intended to reinforce the existing pattern of public space and street edge definition and activity at the street edge. This approach provides for convenient pedestrian access, visual interest for pedestrians from shops, cafes and adjacent activities, and enhances the vitality of both the pedestrian environment and adjoining business activities.

(i) Corner Sites

On any corner site the main entrance to the building will be to a primary street or at the corner.

Explanation

For the purpose of corner sites, "Primary Streets" in the Inner Business Zone are The Square, Rangitikei Street, Main Street, Fitzherbert Avenue and Broadway Avenue (Note, there is no hierarchy within "Primary Streets"). Corner buildings are visually prominent and have an extended street frontage. This requires particular attention to the way they address the street. Placing the main entrance to the main frontage of the building facing the primary street or at the corner will reinforce the existing street hierarchy and contribute to on-going activity along the Primary Street. At the same time, the secondary frontage will also be visually prominent, and in order to maintain active edges to the street all ground floor frontages should contain shopfronts.

(j) Entrance Lobbies

On Pedestrian Streets, no entrance lobbies to upper level offices and residential accommodation at the ground floor frontage of a building are permitted to be more than 4 metres in width.

Explanation

The purpose of the width of entrance lobby provision is to avoid inactive frontages and to maintain the fine grained development pattern in the Inner Business Zone. Wide entrance lobbies have the potential to break the continuity of activity at the street edge and undermine the vitality of the pedestrian environment and adjoining business activities.

(k) Verandas

- i. On Pedestrian Streets, verandas will be constructed along the full length of any building frontage facing a street, pedestrian mall, pedestrian walkway, or public space and will be connected to any adjoining verandas.

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- ii. Verandas will be setback 600mm from the face of any kerb.
- iii. Where a street is not a Pedestrian Street and a veranda is not required along the length of the building frontage, a cover over all main pedestrian entrances will be provided that covers the width of the entrance opening for a depth not less than 2 metres.
- iv. Continuous veranda cover is not required over the entrance to mid-block pedestrian links.

Explanation

Shelter encourages pedestrian use which in turn is beneficial for local retail activity. Verandas provide optimum shelter at the street edge so that the central city is comfortable to use in all weather conditions. Continuous veranda cover to provide shelter and shade is an important amenity consideration within the Inner Business Zone, particularly along Pedestrian Streets which experience high levels of pedestrian movement. The setback requirement is to avoid damage from passing trucks or buses.

(l) Ground Level Parking

- i. On Pedestrian Streets, no ground level parking areas are permitted within 10 metres of the street edge.
- ii. Where a street is not a Pedestrian Street, ground level parking areas are permitted within 10 metres of the street edge along no more than 40% of the frontage width.

Explanation

In combination with the requirement to build to the street edge, the ground level parking provision allows for a reasonable depth of activity at the front of the site. This approach will encourage active edge development at the street which is an important element in maintaining the vitality and viability of the Inner Business Zone.

(m) Vehicle Parking, Loading, Site Access and Car Park Landscape Design

Compliance with R11.6.1.1(c), (d) and (e).

R11.6.1.3 Tertiary Education Providers: Minor Ancillary Structures and Works

Despite R11.6.1.1 and R11.6.1.2, other than R11.6.1.2(c), any structure ancillary to the activities of a tertiary education provider (as defined in the Education Act 1989) that meets one or both of the following criteria is a Permitted Activity:

- (a) Structures not exceeding 50m² gross floor area or footprint whichever is greater.
- (b) Works affecting no more than 20 metres of frontage of an existing building provided that existing glazing at street level shall not be permanently reduced by more than 40%.

and without limitation includes the following types of activities:

- Bus shelters
- Bike sheds
- Storage bins and screening
- HVAC equipment and screening
- BBQ facilities
- Covered parking meter bays
- Guard shelters
- Artworks

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- Wind lobbies
- External elevator shafts
- Window screening

Where (a) or (b) are not met, such minor ancillary structures and works shall be considered under R11.6.1.1 or R11.6.1.2 as applicable.

11.6.2 RULES: RESTRICTED DISCRETIONARY ACTIVITIES

R11.6.2.1 Activities which do not comply with the Permitted Activity Performance Standards

Activities which do not comply with the Permitted Performance Standards (in R11.6.1.1) in relation to:

- (a) Lighting
- (b) Storage Areas
- (c) Loading and Access
- (d) Vehicle and Cycle Parking
- (e) Car Park Landscape Design

are Restricted Discretionary Activities with regard to:

- The safe and efficient operation of the roading network
- Effects on nearby residential activities
- Public safety
- Visual amenity
- Pedestrian linkages and amenity
- Provision of opportunities for people to use active and non-vehicular modes of transport
- Efficient, convenient and safe access

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 Overarching Business Zone and Inner Business Zone objectives and policies, assess any application in terms of the following assessment criteria:

Assessment Criteria

(a) Lighting

- i. The extent to which exterior lighting is lit to an appropriate standard to ensure public and user safety, security and comfort.
- ii. Whether the local ambience of the area is maintained.

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- iii. The extent to which residents in any zone, or other nighttime property users, are not adversely affected by the obtrusive effects of exterior lighting.
- iv. The extent to which road users are not adversely affected by the obtrusive effects of exterior lighting.

Explanation

Artificial lighting is essential to provide for safety, amenity and security, and to enable work, recreational and entertainment activities to occur beyond daylight hours. However, unless artificial lighting is used with care it can adversely affect neighbouring properties and public spaces, through light spill or glare, and can give rise to adverse effects for traffic safety. The safety and the perception of safety and security is a key factor in determining the attractiveness of the city and whether certain user groups, women and the elderly in particular, are likely to use parts of the city.

(b) Storage Areas

- i. Whether changes in topography or other mitigation measures will provide appropriate screening from public areas.
- ii. The extent to which a high quality of street edge amenity is maintained.

Explanation

Because the range of activities and the form of development within the Inner Business Zone is so diverse variations to the way storage areas are provided may be considered. The expectation is that the high standard of amenity experienced at the street edge in the Inner Business Zone is not compromised.

(c) Loading and Access

- i. The extent to which the standards for loading and access can be varied without endangering public safety, particularly pedestrian safety, and effects on the safe and efficient operation of the road network are avoided, remedied or mitigated.
- ii. Whether suitable alternative provision for loading or access can be made.
- iii. Whether proposed activities will generate a demand for loading facilities.
- iv. The extent to which the topography, size or shape of the site, the location of any natural or built structures on the site or other requirements, such as easements, rights-of-way or restrictive covenants, impose constraints which make compliance impracticable.
- v. The extent to which loading areas are located away from the street edge and accessed from the rear of sites.
- vi. The extent to which the location and width of access points minimise impact on the quality of the street edge and maintains pedestrian priority.
- vii. Subject to traffic and urban design assessment, vehicle access across Pedestrian Street frontages is acceptable where:
 - This forms part of a mid-block pedestrian link if one has not already been provided in the general vicinity; and
 - It is part of a Comprehensive Integrated Retail Development over 10,000m²; and
 - Where pedestrian amenity of the street is maintained; and
 - Where the safe and efficient operation of the road network is maintained.

Explanation

Servicing of buildings and activities is essential but should be unobtrusive and discrete. In the pedestrian focused Inner Business Zone, servicing is best located mid-block at the rear of sites. Where a site extends right across a large block and where public pedestrian connection would be desirable, access might be combined with a mid-block link.

Breaks in the street frontage should be avoided. Where servicing elements must be located at the street edge, they should be integrated into or screened by the building. Shared services and access lanes are encouraged where opportunities arise. Servicing may be required with small and narrow sites to be provided through the front door from the street edge in order to avoid compromising the quality of the street edge.

(d) Vehicle and Cycle Parking

Non-compliance with R20.4.2(b)(i), (b)(ii)(a)(b) and (c).

- i. Whether the activities undertaken on or proposed for the site will generate a demand for additional parking and it can be shown that additional on-site parking is necessary for the development. In this regard, the Council will give particular consideration to the type of activity and the nature of the parking proposed. Short-stay customer parking will be favoured.
- ii. The extent to which impacts on the safety and convenience of pedestrian routes are minimised and pedestrian priority in the city centre is maintained.
- iii. The extent to which the adverse effects of additional traffic on the safe and efficient operation of the road network are appropriately managed.
- iv. The extent to which opportunities for people to use active and non-vehicular modes of transport are provided.

Explanation

The Council's Integrated Parking Strategy guides the approach to parking provision throughout the City. The maximum parking restrictions associated with R20.4.2(b)(i), b(ii)(a)(b) and (d), are a trigger for discretionary consent, not an absolute. In the Inner Business Zone, it is anticipated that some developments will require on-site parking over the specified maximum. In these cases, applicants need to demonstrate that the additional parking is necessary for the efficient and effective operation of the development. It is also important that parking areas are provided in a way that enables the safe and efficient operation of the road network, and the continued pedestrian priority provided for in the city centre.

Non-compliance with R20.4.2(b)(ii)(c)

- v. The extent to which any parking demands associated with the activity can reasonably be accommodated within the local public and on-street parking resource.
- vi. The assessment criteria contained in 11.9.3.1(d).
- vii. The extent to which impacts on the safety and convenience of pedestrian routes are minimised and pedestrian priority in the city centre is maintained.

Explanation

It is anticipated that large comprehensive integrated retail developments will have the ability to provide the minimum level of parking required while still enabling an intensity of development appropriate to the Inner Business Zone environment. Where this is not possible, consideration of any adverse effects on the efficiency of the road network will be required, particularly in relation to the City ring road which runs through many parts of the Inner Business Zone. Applicants are also required to consider any adverse effects on the visual, streetscape and pedestrian environment within the context of the total parking demand and hours of operation of the activity. Provision is made for the consideration of the availability of public parking and shared private parking within the vicinity of the site.

(e) Car Park Landscape Design

The assessment criteria contained in R11.9.3.1(e).

R11.6.2.2 The Construction, External Alteration or Addition to a building which does not Comply with the Performance Standards for Permitted Activities

The construction, external alteration or addition to a building which does not comply with the Performance Standards for Permitted Activities (in R11.6.1.2) in relation to:

- (a) Maximum Floor Area and or Maximum Building Height
- (b) Maximum Building Height Adjoining a Scheduled Building
- (c) Minimum Building Height
- (d) Ground Floor Height
- (e) Maximum Frontage Width
- (f) Building Frontages (including entrance lobbies)
- (g) Display Windows
- (h) Corner Sites
- (i) Verandas
- (j) Ground Level Parking
- (k) Loading and Access
- (l) Vehicle and Cycle Parking
- (m) Car Park Landscape Design

are Restricted Discretionary Activities with regard to:

- External design and appearance
- Building mass and height
- Scale relation to existing smaller neighbours
- Building frontages and active edges
- Relation to streets and other public spaces
- Safety and security
- Mid-block pedestrian links
- Wind effects
- Location and treatment of loading and access
- Site Layout

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- Visual amenity
- Pedestrian shelter, amenity, and safety
- Building adaptability
- The safe and efficient operation of the road network.
- Providing opportunities for people to use active and non-vehicular modes of transport.

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

NOTE TO PLAN USERS

Where a proposal falls under R11.6.2.2(a), Maximum Floor Area and/or Building Height, then as well as assessing the non-compliance against R11.6.2.2(a), the Council will also assess any application under the remaining relevant assessment criteria in R11.6.2.2(b) to (m). Where a proposal falls under R11.6.2.2(b) to (m), only the assessment criteria triggered by the specific non-compliance will be assessed.

Assessment Criteria

(a) Maximum Floor Area and or Building Height

Building Mass and Height

- The extent to which the building maintains the continuity of street edge definition and maintains the amenity of the adjacent street.
- The extent to which the building relates to the character of its setting and avoids visual dominance.
- The extent to which the building contributes to the effect of signalling the centre of the city.
- The extent to which new large buildings retain reasonable visual privacy and daylighting for adjacent city centre residential accommodation.
- The extent to which the roofs of large floor plate low-rise buildings that are viewed from elevated sites or otherwise prominent in view relate to the scale of buildings around and create visual interest.
- The extent to which good sunlight access is maintained to the Square.
- The extent to which the height of buildings fronting the Square provide good spatial definition and contributes to the coherence of this definition around the Square.

Explanation

Recent experience in Palmerston North demonstrates that large buildings can be poorly designed, degrading the amenity values of the public environment. Very large buildings exceed a number of thresholds above which effects individually begin to be problematic, and which cumulatively can be significant.

Large buildings can be successfully integrated into the built environment if care is taken with placement and modelling of building form, with coherent high quality design and with their interface with the street. Active street edges and articulation of building form to moderate bulk should be incorporated.

Regardless of their height, the roofs of large floor-plate buildings can have significant visual impacts – especially when seen from elevated sites around the city. In this respect, low-rise buildings with large plan dimensions can produce more significant visual effects than tall buildings with small footprints. Modulation techniques may include visual subdivision of large roof planes; sculptural roof forms; and expression of structure or secondary form, such as service rooms and towers. The roof edges of such

buildings are important when viewed from below, and consideration should be given to the composition of this edge, including its shape and visual rhythm.

Shading of streets is generally acceptable, however, to ensure the Square remains attractive in the long term, shading should be avoided over the central parts of the Square that are most likely to be occupied at or around the middle of the day in mid-winter. This corresponds to an area at or inside the inner pedestrian circulation path, which may be defined as being a line 20 metres in from the line of the edge of the perimeter carriageway around the Square.

Scale Relation to Existing Smaller Neighbours

- viii. The extent to which large scale buildings are complemented by small scale and narrow frontages to achieve diversity and contribute to a fine-grained, active street edge.
- ix. The extent to which intermediate and transitional volumes and modelling of building form to achieve common alignments or modules are used to achieve a positive scale relationship with smaller neighbouring buildings.
- x. The extent to which frontage width and width of tenancies and frequency of entries at ground level positively relates to the width of narrower neighbours.

Explanation

Large buildings can often sit comfortably in a context of much smaller buildings if careful consideration is given to scale relationship. Conversely, if not well-considered large buildings can visually dominate and create a lack of visual interest at the street edge. Scale relation between buildings requires that both building height and width are considered.

The use of intermediate scaled transitional volumes between large and small buildings, or the modelling of large buildings into discernible components with dimensions in common with smaller buildings can be successful. Setting the tallest or largest parts of buildings back from the street edge can also manage their impact on smaller neighbours at the street edge.

Modulation of the façade at street level and frequency of entries also helps to achieve scale relation with smaller neighbours. Where a street edge is characterised by verandas, and passers-by cannot read the height of a building, width of façade at ground level will be an important contributor to understanding of building size for people walking past the building.

Through Site Pedestrian Links

- xi. The extent to which large development that occupies large blocks provides attractive, accessible, safe and convenient mid-block pedestrian links between known or predicted destinations.
- xii. The extent to which large development is consistent with promoting a core pedestrian area within the Inner Business Zone that is characterised by a safe, convenient and pleasant pedestrian environments.
- xiii. The extent to which the development provides for mid-block pedestrian links shown in Figure 11.3, Indicative Zone of Mid-Block Pedestrian Linkages.

Explanation

Very large or very long blocks preclude easy pedestrian access and encourage people to use their cars for what would otherwise be simple walking journeys. This is often inconvenient and places unnecessary traffic on the road network. Providing mid-block connections assists people to move between activities and business destinations in the Inner Business Zone and also facilitates easy access from residential areas to important destinations. Mid-block connections may also reduce traffic on the road network as people find it more convenient to walk rather than take their car between city centre destinations. However, mid-block links should be provided only where they provide more convenient access between recognised destinations, and where they will be safe and not compromise the security of activity at their edges. This means ensuring clear sightlines along links, good lighting, and providing for informal surveillance from activity at the edges of the link. These links,

which will typically be relatively narrow lanes rather than streets, could have shared surfaces.

They might have a dual function, also providing for service access to the rear of adjacent sites and/or vehicle access to carparking areas forming part of an integrated retail development. Refer to Figure 11.3 for Indicative Zone of Mid-Block Pedestrian Linkages. This diagram is intended to describe only a general location, recognising that the precise location of any link can only be determined in coordination with development planning for sites in the Inner Business Zone, and by exploring opportunities for links as they arise on various appropriately located sites.

Wind Effects

- xiv. The extent to which buildings that are conspicuously taller than their neighbours impact on wind speed at the ground level.
- xv. The extent to which the building mitigates existing wind hazards and enhances the wind environment in public space.

Explanation

As buildings rise above their neighbours the risk of creating adverse wind effects at ground level increases. Techniques can be applied to building design to ameliorate adverse wind effects where it is important to maintain a safe and high quality environment for pedestrians. An existing wind environment can often be enhanced with the design of new buildings. In some instances, relatively tall and large buildings exposed to prevailing wind direction may require wind tunnel testing to demonstrate wind effects and their mitigation.

(b) Maximum Building Height Adjoining a Scheduled Building

- i. The extent to which the building maintains continuity of street edge definition and visual coherence of the street wall.
- ii. The extent to which the height of the new building maintains a positive scale relationship with the adjacent scheduled building, and by various means including modelling of form and maintaining common alignments, avoids visually dominating it.

Explanation

The purpose of the maximum building height for buildings adjoining scheduled buildings is to ensure that new development achieves a reasonable scale relationship with scheduled buildings. The purpose of this approach is to maintain the character and setting of scheduled buildings

(c) Minimum Building Height

- i. The extent to which the building maintains continuity of street edge definition and visual coherence of the street wall.
- ii. To ensure the extent to which the building maintains and enhances a scale which contributes to the pedestrian amenity values of the street.
- iii. The extent to which the height of the building is consistent with the character of the existing built environment.

Explanation

The purpose of the minimum height requirement is to create sufficient height at the building frontage to provide street definition and promote a sense of containment which contributes to the pedestrian amenity values of a street. It is important that a building achieves a reasonable scale and relationship with those around it. New development should take into account the existing context and seek to reduce negative impacts that may arise from an immediate change of scale.

(d) Ground Floor Height

The extent to which ground floor height provides suitable clearance for both intended and reasonably likely future functions including retail and relates to the height of adjacent

Explanation

The purpose of the ground floor height provision is to ensure a generosity of space is created to facilitate future change of use at the street edge and should comfortably accommodate retail. Ground floor height should provide the space and configuration that allows future installation of extract ventilation.

(e) Maximum Frontage Width

The extent to which any ground floor frontage which is wider than those around provides visual interest and edge activity including multiple entries.

Explanation

The fine grained development pattern of the city centre is an important component in maintaining the vitality and vibrancy of the Inner Business Zone. Frequent doors and windows, narrow frontage buildings and tenancies at the street frontage make frontages 'active', and add interest, life and vitality to the public realm. Importantly, the fine grained development pattern creates a human scale that creates visual interest, legibility and encourages pedestrian use.

(f) Building Frontages

- i. The extent to which the design and external appearance of the building recognises and reinforces the core principle of the Plan to build to the street frontage and ensure all buildings contribute to a high quality public environment, particularly those buildings fronting the Square.
- ii. The extent to which the composition, modelling of building form and the detail of building facades creates visual interest and achieves aesthetic coherence when viewed from the street.
- iii. The extent to which buildings provide frontages including main entrances, openings and display windows, and or other appropriate treatments facing the edge of the street.
- iv. The extent to which blank walls at the street edge and conspicuously large high-level blank walls that are in prominent view from streets and other public spaces are avoided.
- v. Whether a break in shop frontage will adversely affect either the amenity values of the city centre or pedestrians.
- vi. The extent to which the building maintains continuity and coherence of street edge definition and coherence of alignment is maintained.
- vii. The extent to which visible and publicly relevant activity at the ground level contribute to the vitality and safety of the street.
- viii. The extent to which visual and physical connections are maintained between building interiors and adjoining streets and other public spaces to a degree appropriate to the location.
- ix. The extent to which shopfronts maintain visual transparency and contribute visual interest, and nighttime spill lighting to the street edge.
- x. The extent to which the building maintains light and outlook for its interior spaces and those of neighbouring buildings.
- xi. The extent to which plant and services, and associated enclosures are integrated into the building design and otherwise treated to enhance the appearance of the building.

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- xii. The extent to which service access points are integrated into the development so as to minimise impact on the quality of the street edge. This may include control over the location and width restriction of service access points.
- xiii. The extent to which a significant reduction in glazing proportion or departure from frontage standards is addressed by appropriate enhancements to public amenity at the street edge.

Building Setbacks

- xiv. The extent to which any building setbacks from the street frontage create positive open spaces with high usability and aesthetic quality, and which contribute positively to the public space system in the city.
- xv. The extent to which a setback or contrasting alignment is justified by the building having a recognised public function, including community, cultural, civic, education or recreational activity, and the landscaping of such setbacks contributes to the quality of the public environment.
- xvi. The effects of not building to the street frontage on the pattern of adjacent activities and the continuity of the street frontage.
- xvii. The extent to which mature trees in the public realm compensate for building setbacks by providing spatial definition.
- xviii. For large format and or vehicle orientated activities, the extent to which the surrounding environment is characterised by patterns of stand-alone buildings that are set back from the street edge.
- xix. For large format and or vehicle orientated activities, the extent to which any set back maintains the general pattern and coherence of street edge definition and creates positive open space that contributes to the wider system of public space.
- xx. Where street edge setbacks are necessary for drive-through or vehicle orientated activities, care should be taken with associated building design and landscaping to ensure the setback area is seen and experienced as positive open space.
- xxi. For large format and or vehicle orientated activities, the extent to which buildings set back from the street provide active edges fronting towards the street.
- xxii. For large format and or vehicle orientated activities where buildings are set back from the street edge, the extent to which pedestrian only or pedestrian priority areas are provided with kerbs or raised pedestrian facilities or material differentiation, and high quality on-site landscaping is provided.

Explanation

The Council wishes to ensure that new building development and the external alterations or additions to existing buildings provide an active edge environment that facilitates convenient pedestrian access, provides visual interest for pedestrians, and enhancement of vitality for both the pedestrian environment and adjoining business activities.

Active street edges with shopfronts built to the street edge and entries on the frontage are the established pattern around the Square and in other parts of the city centre. The Council considers the quality of the street edge as being critical in creating the sort of environment that attracts pedestrian use and in turn maintains the viability and vitality of the city centre. Maintaining the visual relationship between building interiors and the adjoining streetscape; encouraging publicly relevant activity at the ground level; and the provision of entrances and openings facing the street edge are all important components to achieving a quality street edge.

It is important that all buildings contribute to a high quality public environment. A high quality public environment attracts people and consequently contributes to social vitality and commercial success. Streets and public spaces can be degraded by either a single poor development, or

alternatively the incremental effect of a number of substandard developments. In particular, all buildings form the edges of public space and the quality of this edge must be considered in all cases.

It is critical that the external appearance of buildings promote a high quality public environment and that featureless facades or blank walls that are visible from the public realm are avoided. In particular, large blank walls should not occur at the street edge as these lack interest and activity, compromising the experience of the adjacent space and continuity of activity. A flat wall surface might contribute a small proportion of ground floor facades, but only if the quality of the street edge is not compromised as a result. A large, high-level wall is any blank wall above ground level that is large and conspicuous in public view. Such walls should be avoided because like those at ground level they contribute to visual monotony and lack visual interest. However, a large flat wall surface can in some circumstances be used to balance other more complex parts of a façade. It may provide contrast and visual relief or a scale relation to an adjacent larger building.

The quality of the street edge also impacts on perceptions of vitality and safety. Council expects the design and appearance of buildings to contribute to a high quality public environment by ensuring the composition and articulation of facades create visual interest and coherence at the street edge; maintenance of sunlight access to public space (including private space characterised by public use); and design that enables publicly relevant activity to be maintained at the street edge. Intensity of activity is most important along pedestrian streets. Narrow frontage widths at ground level create diversity and interest along the street and provide more reasons for pedestrians to use or visit the street. This contributes to its commercial and social success.

Loading for small narrow sites may necessitate loading through the front door from the street edge to avoid compromising the quality of the street edge.

In certain parts of the Inner Business Zone large format and vehicle orientated retail plays a significant role. Where opportunities arise, it is important that the Inner Business Zone provides for these types of activities which support the viability and vitality of the city centre. Tertiary education includes activities that will require a variety of design responses with consideration of, for example, auditoria, special purpose laboratories, or workshop spaces. Nevertheless, the street edge should be characterised by active teaching, learning, entrance, and reception spaces. Special purpose buildings may necessitate variation to how a building fronts the street. In this case, the relationship of the building with the wider collection of buildings within the complex and in the vicinity needs to be considered.

Development needs to be provided for in a way that offers flexibility and recognition of the operating characteristics of large format, vehicle orientated activities, and tertiary education providers while ensuring a high amenity and pedestrian focused Inner Business Zone is retained.

A core principle within the Inner Business Zone is to require the front of buildings to be built to the edge of streets. Large or random edge setbacks should be avoided. Common alignment and construction to the street edge will reinforce the local street grid and local system of public open spaces. Any departure should be to create a positive open space for public use. Departure from this core principle is a matter of discretion particularly in relation to large format activity and tertiary education providers.

Assessment criteria (Building Frontages: xiii) recognises that it is sometimes very difficult to achieve activity along all parts of a street frontage, particularly where developments extend along multiple street frontages. Enhancements to public amenity may include integration of walls with bus stops, taxi stands, waiting areas, kiosks (e.g. hole in the wall), wall features, landscaping and or public art, and appropriate lighting.

(g) Display Windows

- i. Whether the lack of display windows will result in a break in the display frontage causing a loss of visual amenity and interest at the street edge.
- ii. Whether the lack of display windows will contribute to a cumulative effect of undermining the high level of street edge amenity expected throughout the Inner Business Zone.
- iii. The extent to which the development avoids perpetuating existing low levels of street edge amenity and ensures a high level of visual amenity is achieved.
- iv. Within tertiary education buildings the extent to which the publicly relevant educational activity that is part of the facility is located at and remains visible from

Explanation

Display windows are considered important along pedestrian streets with high pedestrian traffic. They provide visual interest by displaying activity and people and contribute to the understanding of the City. The Council aims to have continuity along these streets but accepts there may be a limited number of unique situations where it is appropriate for display windows to be replaced by an alternative architectural treatment. These situations may include where buildings providing for educational activities are set back from the street, and performance auditoria, although in this circumstance entrance and lobby areas should be orientated to the street.

For development on corner sites, the display window requirements for the façade facing a secondary street might, depending on context, be reduced, but even in this circumstance, it will be important that shopfronts are maintained for street edge amenity. Where the existing built environment is not characterised by the provision of display windows or a high level of street edge amenity it is not acceptable for new development to perpetuate an existing low level of street edge amenity.

(h) Corner Sites

The extent to which corner buildings reinforce street corners with both built form and frontage orientation.

(i) Verandas

- i. The extent to which the veranda is integrated with the design of the building and maintains continuity of shelter with adjoining sites.
- ii. The effect of not providing a veranda upon the use, design and appearance of adjoining buildings.
- iii. Whether suitable alternative provision for pedestrian cover can be made.
- iv. Whether the design and appearance of the existing building is such that a veranda cannot be added without detracting from its appearance.
- v. Whether existing verandas on adjoining sites are such that the required continuity cannot be achieved.
- vi. The consistency of veranda provision and/or design with maintaining the heritage values of scheduled heritage buildings.

Explanation

Verandas are important in providing shade and shelter for pedestrians. In this regard, they are an important amenity consideration in the Inner Business Zone. In some situations where verandas may not be needed the Council aims to ensure that suitable alternatives are provided.

(j) Ground Level Parking

- i. The extent to which the building allows for screening activity at the street edge that will contribute to the vitality and active edge of the Inner Business Zone.
- ii. The extent to which the location and width of crossings minimise conflict with use of the footpath.
- iii. The extent to which on-site landscaping is used to create a high quality street edge.
- iv. Whether the accepted or desirable function of the street requires parking at the street edge.
- v. The extent to which the design of ground level parking is consistent with the principles of Crime Prevention Through Environmental Design (CPTED) including the following:

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- Is overlooked from buildings around it, in particular the building(s) it serves;
- Allows for good lines of sight into and through the space;
- Minimises potential for concealment;
- Has lighting appropriate to site, location and timing of use;
- Avoids potential for entrapment; and
- Has points of entry and exit and a layout which are readily understandable for users.

Explanation

The amenity values of the Inner Business Zone are of a high standard, matters of control are intended to ensure a high standard is maintained and enhanced. In particular, it is important that continuity of activity and amenity for pedestrians at the street edge is maintained to ensure the ongoing vitality and viability of the Inner Business Zone. Design of car parking areas should include features such as potential for informal supervision of public space from within buildings or good lighting that contributes to a sense of safety and actual safety. CPTED is a crime prevention philosophy based on proper design and effective use of the built environment that leads to a reduction in the incidence and fear of crime, as well as an improvement in the quality of life. It reduces criminal opportunity and fosters positive social interaction among legitimate users of space.

(k) Loading and Access

The assessment criteria contained in R11.6.2.1(c).

(l) Vehicle and Cycle Parking

The assessment criteria contained in R11.6.2.1(d).

(m) Car Park Landscape Design

The assessment criteria contained in R11.9.3.1(e).

R11.6.2.3 Car Parking Buildings and Structures are Restricted Discretionary Activities with regard to:

- The safe and convenient movement of pedestrians
- Design and appearance
- Street edge amenity
- Safe and efficient operation of the road network.

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 Overarching Business Zone and Inner Business Zone objectives and policies, assess any application against the relevant assessment criteria in R11.6.2.2(a) to (m) and in terms of the following assessment criteria:

Assessment Criteria

- i. The extent to which screening with activity and other architectural treatments eliminate or mitigate the potential visual monotony of parking buildings and structures.
- ii. Whether a break in the shop frontage or veranda cover will adversely affect the pedestrian safety, convenience, access and mobility to and within the Inner Business Zone.
- iii. Whether the movement of vehicles will adversely affect the safe and convenient movement of pedestrians and in particular whether pedestrian access and mobility to and within the Inner Business Zone will be adversely affected.

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- iv. Whether the traffic generated will adversely affect the safe and efficient operation of the road network.
- v. The extent to which the design of the car parking building is consistent with Crime Prevention Through Environmental Design (CPTED) principles.

Explanation

The vehicle orientated nature of parking facilities mean that they are likely to generate adverse effects on the amenity values of the city centre, particularly on pedestrian orientated retail areas. In the city centre parking facilities have the potential to create significant breaks in the fine grained development pattern of the street edge, interruption of veranda cover, and disruption to pedestrian convenience and safety.

Car parking buildings are usually large, monolithic, visually repetitive and dull. Where visible they can significantly compromise the quality and amenity of the street. The internal design and amenity of the building itself is also important. Unless car parking buildings are perceived by users as safe, convenient and attractive, they risk being underutilised. Design principles for achieving safety in car parking buildings include:

- *Develop an ambience that reduces fear of crime.*
- *Ensure that an easily maintained and high quality environment is developed which projects an image of care and maintenance that promotes the high perception that space is claimed and observed.*
- *Plan points of entry and exit to provide access control and manage or avoid unauthorised entry.*
- *Minimise potential for concealment and entrapment with floor plates that maximise visibility around the car-parking building and assist orientation and wayfinding.*
- *Provide good lighting and opportunity for formal and informal surveillance.*
- *Minimise the sensory aggravation associated with car parks by providing good ventilation, and surface treatments on ramps and at corners that eliminate screeching from tyres.*
- *Avoid creating blind corners and circuitous walkways and provide exit choices with potential to change direction mid-route, extensive glazing at stair lobbies and lifts that allow people to view the inside before choosing whether or not to enter.*

R11.6.2.4 Residential Accommodation is a Restricted Discretionary Activity with regard to:

- Street edge amenity
- Internal amenity
- Private open space
- Storage
- Visual and acoustic privacy.

Performance Standards

Residential Activities under R11.6.2.4 must comply with the following performance standards:

- (a) All Residential Accommodation must be above ground floor level.
- (b) The minimum gross floor area for Residential Accommodation must be 35m².
- (c) Compliance with Noise Insulation and Ventilation R11.6.6.1 (b), (c) and (e).
- (d) Compliance with R11.6.1.2(a) to (m), Construction, External Alteration or Addition to a Building.

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

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Council will, in addition to the City View objectives in Section 2 and the Overarching Business Zone and Inner Business Zone objectives and policies, assess any application in terms of the following assessment criteria:

Assessment Criteria

- i. The extent to which residential occupation maintains appropriate continuity of publicly relevant activity at the street edge at ground level.
- ii. The extent to which dwelling unit floor space size provides reasonably acceptable living conditions for the intended type and number of occupants.
- iii. The extent to which the orientation and location of windows allows each dwelling unit to receive both daylight and reasonable sun.
- iv. The extent to which daylight, reasonable sun, and an outlook towards and over a street or other public space, or a generous on-site internal court or garden area, will be maintained from all dwelling units irrespective of existing and potential development on neighbouring sites.
- v. The extent to which noise from known or predictable adjacent noise sources is addressed by dwelling unit planning and construction.
- vi. The impact of any residential development on the ability of existing or future commercial activities to operate or establish without undue constraint.
- vii. The extent to which general planning and configuration provides clear, logical circulation and safe, convenient pedestrian access to and from dwelling units.
- viii. The extent to which usable, sunny and private open space in the form of balconies or roof terraces directly accessible from the dwelling unit are provided to the majority of units.
- ix. The extent to which the provision for storage has been made both within and related to each dwelling unit.
- x. The extent to which service areas and storage has been provided for, considering the size and type of residential occupation of the building, including space for bicycles.

Explanation

The use of a minimum floor area will ensure that no residential unit is unsuitable for the minimum occupation of one (and probably two) people as an independent and separate household unit.

Certain characteristics such as outlook, amenity from sun and daylight, or access to a small balcony contribute to high quality inner city living. Maintaining reasonable amenity in the event of development of neighbouring sites is important and can readily be addressed if considered at the design stage of a development.

While outlook is important, and this should generally be towards a street or public space, there may be instances where a high quality ground level garden or courtyard, or roof-top space is provided within a development, and this could provide for sufficient outlook.

A provision has been placed on residential development requiring noise insulation to be provided. This is to ensure that residential activity is not unduly affected by noise events within the Inner Business Zone which could in turn lead to issues of reverse sensitivity that threaten the viability of commercial activities. Servicing including rubbish and recycling storage and collection should be provided where it is readily accessible but not obstructive at the street edge. Residential amenity is enhanced by having sufficient storage space, and this should be considered both within the unit, and within common but secure parts of the development.

R11.6.2.5 The Construction of any new Building, External Alteration or Addition to Non-Scheduled buildings in the North West Square Heritage Area is a Restricted Discretionary Activity with regard to:

- Design, height, scale and form of buildings
- Effect on heritage values of the area.

Performance Standards

- The maximum height of any building will be no more than 3 stories
- The maximum ground floor height of any building or structure will be no more than 4 metres.
- The minimum ground floor height of any building or structure will be 3 metres.

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 Overarching Business Zone, and Inner Business Zone objectives and policies, assess any application against the relevant assessment criteria in R11.6.2.2(a) to (m) and in terms of the following assessment criteria:

Assessment Criteria

The extent to which the:

- height;
- location (including any setback);
- orientation;
- scale;
- proportions;
- modulation and
- materials

of any new building, external alteration or addition are compatible with the predominant, original architectural style of the heritage area.

Explanation

New buildings, external alterations or additions to existing buildings should maintain the character and setting of the Heritage Area. The built form and design elements of new buildings and additions should relate to the surrounding buildings. However, to avoid confusion as to which is old and which is new, any new building or addition should not imitate, replicate or mimic the surrounding historical styles.

R11.6.2.6 The Demolition or Relocation of Street Character Buildings in the North West Square Heritage Area is a Restricted Discretionary Activity with regard to:

- Effects on the heritage values of the area.

NOTE TO PLAN USERS

Buildings subject to R11.6.2.6, The Demolition or Relocation of Street Character Buildings in the North West Square Heritage Area, are identified in Figure 11.4.

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 Overarching Business Zone, and Inner Business Zone objectives and policies, assess any application against the following assessment criteria:

Assessment Criteria

- i. The extent to which the building contributes to the heritage significance of the area.
- ii. Whether there has been any change in circumstances that has resulted in a reduction of the area's heritage significance since the area was identified in the Plan.
- iii. The extent to which the buildings and structures within the area have been damaged by any disaster.
- iv. Whether relocation is necessary to save a building or structure within the area from any natural conditions or disasters.
- v. Whether it can be demonstrated that no sustainable continued use of the buildings within the area is possible.
- vi. The extent to which proposed replacement of buildings are compatible to the original architectural style predominant in the heritage area and maintain the continuity of façade alignment of buildings in the vicinity.
- vii. Whether the site has or is likely to have significant archaeological values, and whether the effects on those values by the proposal can be adequately avoided, remedied or mitigated.

Explanation

While a number of buildings within the Heritage Area are individually listed as heritage buildings and subject to the provisions of Section 17, there are other buildings that contribute to the significance of the Heritage Area. These buildings have some heritage value and their loss from the area requires consideration in terms of the overall effect this would have on the heritage values of the area. There may be circumstances under which the building must be removed for safety reasons or where there is no sustainable economic use of the building. In these situations, it must be clearly demonstrated why removal of the building is the best option.

NOTE TO PLAN USERS

To assist in the assessment of land use consent applications for R11.6.2.5 and R11.6.2.6, Appendix 1: North West Square Heritage Area provides a description of the heritage area and its heritage and cultural values at the rear of the Business Zone section.

11.6.3 RULES: DISCRETIONARY ACTIVITIES

R11.6.3.1 Service Stations

Service Stations (excluding Fuel Stops ancillary to a Supermarket) are Discretionary Activities

Service Stations under R11.6.3.1 must comply with the following performance standards:

Performance Standards

- i. All Service Stations will be located on Major or Minor Arterial Roads.
- ii. No Service Station will be located at the end of a Pedestrian Street.

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 Overarching Business Zone, and Inner Business Zone objectives and policies, assess any application against the relevant assessment criteria in R11.6.2.2(a) to (m) and in terms of the following assessment criteria:

Assessment Criteria

- i. The extent to which on-site landscaping establishes an attractive appearance and complements public landscaping at or near the street edge and establishes conditions of visual interest and amenity within the development.
- ii. The extent to which growing conditions are provided for that will ensure the successful establishment, growth and on-going viability of planting.
- iii. The extent to which landscaping of onsite car parking establishes conditions of visual interest and amenity within the development and its margins.
- iv. The extent to which plant and services (e.g. air conditioning and rubbish storage) and its enclosure is integrated into the building design and otherwise treated to enhance the appearance of the building.
- v. The extent to which the development maintains and enhances the quality of the environment for pedestrians within the site and at the street edge, and whether entry and exit points to the site will have an adverse effect on pedestrian safety.
- vi. The extent to which the shop fronts of retail facilities face and are accessible from the street edge.
- vii. Whether the adverse effects of development on the safe and efficient operation of the road network can be effectively managed.

Explanation

Decisions relating to the location and design of service stations in the city centre need to be carefully considered. The built character and vehicle orientated nature of service stations is generally not compatible with the high level of amenity and the pedestrian focus provided for in the city centre. In order to ensure that the effects of service stations on surrounding activities; streetscape; pedestrians; and the safe and efficient operation of the road network are thoroughly considered, service stations have been identified as a Discretionary Activity within the Inner Business Zone.

R11.6.3.2 Any Activity or the Construction, External Reconstruction or Alteration of Buildings or Structures not provided for by R11.6.1.1, R11.6.1.2, R11.6.2.1, R11.6.2.2, R11.6.2.3, R11.6.2.4, R11.6.2.5, R11.6.2.6, R11.6.3.1 or R11.6.4.1

Any activity or the construction, external reconstruction, or alteration of any building or structure which is not provided for by R11.6.1.1, R11.6.1.2, R11.6.1.3, R11.6.2.1, R11.6.2.2, R11.6.2.3, R11.6.2.4, R11.6.2.5, R11.6.2.6, R11.6.3.1 or R11.6.4.1 is a Discretionary Activity.

11.6.4 RULES: NON-COMPLYING ACTIVITIES

R11.6.4.1 Offensive Activities, Industrial Activities, Crematoria and Residential Activities at Ground Floor Level

Offensive Activities, Industrial Activities, Crematoria and Residential Activities at Ground Floor Level are Non-Complying Activities.

Explanation

Offensive Activities, Industrial Activities, Crematoria and Residential Activities at Ground Floor Level have a range of potential effects that could adversely affect the amenity qualities of the Inner Business Zone. The application of Non-Complying Activity status to these activities will ensure that any Offensive Activity, Industrial Activity, Crematoria or Residential Activities at Ground Floor Level has to demonstrate that it can satisfy the requirements of Sections 104 and 104D of the Resource Management Act 1991 prior to any approval being granted.

11.6.5 RULES: NOTIFICATION

R11.6.5.1 Notification

- i. The following activities must not be publicly notified: R11.6.2.2, R11.6.2.3, R11.6.2.4, R11.6.2.5, and R11.6.2.6.
- ii. The following activities must not be limited notified: R11.6.2.2, R11.6.2.3, R11.6.2.4, R11.6.2.5, and R11.6.2.6.

This rule shall only apply in relation to activities within R11.6.2.6 if, with the application for consent, the Applicant provides a written record of consultation with the New Zealand Historic Places Trust on the proposal.

11.6.6 RULES: NOISE

R11.6.6.1 Noise

(a) Noise

- i. Noise from any activity within the Inner Business Zone must not exceed the following limits at any point within any other site within the Inner Business Zone:

At any time	70 dB $L_{Aeq(15mins)}$
Daily 11:00pm to 7:00am the following day	90 dBA L_{max}

- ii. Noise from any activity within the Inner Business Zone must not exceed the following limits at any point within any site within the Outer Business Zone:

At any time	65 dB $L_{Aeq(15mins)}$
Daily 11:00pm to 7:00am the following day	90 dBA L_{max}

- iii. Noise from any activity must not exceed the following limits at any point within any land zoned for residential purposes:

7:00am to 7:00pm	55 dB $L_{Aeq(15mins)}$
7:00pm to 10:00pm	50 dB $L_{Aeq(15mins)}$
10:00pm to 7:00am	45 dB $L_{Aeq(15mins)}$
10:00pm to 7:00am (Nighttime L_{max})	75 dBA L_{max}

- iv. Where it is impracticable to measure outside a building, the noise from any activity within the Inner and Outer Business Zones must not exceed the following limits, inside any residential units in any building on any other site within the Inner and Outer Business Zones:

Bedrooms 11:00pm to 7:00am the following day	35 dBA $L_{Aeq(15mins)}$
Bedrooms 11:00pm to 7:00am the following day	55 dBA L_{max}
Other habitable rooms	40 dB $L_{Aeq(15mins)}$

This must not allow any relaxation in the noise limits in (i), and (ii) of R11.6.6.1(a).

Explanation

The noise rules within the Inner Business Zone are designed to allow activities to make maximum noise while still providing a minimum level of control to residential activities in the area. Where noise sensitive uses (including residential activities) are proposed for the Inner Business Zone it is the responsibility of the designer, developer, owner and user to ensure that buildings are appropriately

insulated against the higher levels of noise that are allowed. Residents in the city centre must accept that the objective for a busy and vibrant city centre may conflict with expectations for a quiet and peaceful residential environment.

(b) Noise Insulation

Any habitable room in a building used or likely to be used by a noise sensitive activity within the Inner Business Zone must be protected from noise arising from outside the building by ensuring the external sound insulation level achieves the following minimum performance standard:

Bedrooms and sleeping areas $D_{nT,w} + C_{tr} > 35 \text{ dB}$

Habitable rooms $D_{nT,w} + C_{tr} > 30 \text{ dB}$

Compliance with this performance standard must be achieved by ensuring bedrooms and sleeping areas and habitable rooms are designed and constructed in a manner that accords with an acoustic design certificate signed by a suitably qualified acoustic engineer stating the design as proposed will achieve compliance with the above performance standard.

(c) Ventilation

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

Acoustic insulation is required for noise sensitive activities in buildings in the Inner and Outer Business Zones to mitigate the potential adverse effects of such uses and to lessen the potential for constraint that such uses can place on typical business and commercial activities commonly associated with the city centre. The ventilation requirement for bedrooms is required to ensure noise attenuation is not compromised if compliance with the requirements of the Building Code (G4) for natural ventilation is achieved by installing openable windows. The required air flow level is based on the minimum standard for habitable spaces set out in NZS 4303.

(d) Outdoor Speaker Noise

The noise in any public area (including streets and parks) generated by electronic sound systems must not exceed 80 dB L_{Aeq} over any 2 minute period when measured at the nearest location regularly trafficked by the public. In any event the measurements must be made no closer than 0.6 metres from any part of a loudspeaker and at a height no greater than 1.8 metres (representative of the head height of a passer-by).

The measured level(s) must be compared directly with the applicable noise limit without any adjustments for special audible characteristics. However, the measured level must be adjusted for any significant background sound in the area.

Temporary activities such as sporting, recreational, entertainment, cultural or similar events and outdoor gatherings are not subject to this noise standard. For such events Council will use its powers under the Resource Management Act 1991 to ensure that the general duty under sections 16 and 17 of the Act to avoid unreasonable noise and avoid, remedy or mitigate any adverse effects of activities on the environment is met.

Explanation

This noise rule is intended to limit excessive noise levels from bars and clubs in public places and to protect passers-by and people in the vicinity. The standard is aimed at loudspeakers generating high

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noise levels when located near to open doors and windows or when located outside the building. The rule also provides for individual noise makers to be targeted in the event that a number of bars for example are causing non-compliance issues at nearby site boundaries.

The sound level of 80 dB L_{Aeq} is selected because it allows the sound to be high without causing it to be uncomfortable to most persons on the street. There may still be some annoyance factor to passers-by depending on what is being played on the sound system and the sensibility of the recipient. The rule provides the main protection for actual sites and it is considered that the passers-by only need to be protected for the time that it takes them to walk away if they still find the sounds annoying.

(e) Fixed Plant

Noise emission levels from fixed plant must not exceed the following at or within the boundary of any site, or at the outside wall of any building on any site, other than the site from which the noise is emitted:

Any time	55 dB $L_{Aeq}(15 \text{ mins})$
11:00pm to 7:00am	75 dBA L_{max}

Except that these noise limits must not apply to fixed plant that is used solely for emergency purposes. Examples of such equipment are standby generator sets that are used to supply electricity only at times of electricity supply failure or for plant used during life threatening situations such as smoke fans or sprinkler pumps. This fixed plant is exempt from the noise limits provided that it:

- i. Operates for maintenance purposes between 8:00am and 5:00pm weekdays
- ii. Operates for maintenance for a maximum of 2 hours per month
- iii. Complies with Noise R11.6.6.1 and R11.9.7.1.
- iv. Electrical generator sets can only be used on an emergency basis and must not be used to generate power for the national grid.

Explanation

There are generally more options available for mitigating noise from fixed plant equipment at the time of construction or altering a building. Emergency equipment is exempt from the more stringent noise limits because there is a high associated cost with ensuring generator sets meet stringent noise limits, especially when the overall operating hours are very low. Compliance with less stringent limits is appropriate for the rare times that this equipment needs to operate.

11.7 Outer Business Zone

Introduction

The Outer Business Zone is located on the periphery of the Inner Business Zone and encompasses an extensive area of land to the north (Rangitikei Street); west (Cuba and Main Streets); east (Broadway Avenue and Main Street); and a small area to the south (Fitzherbert Avenue and Ferguson Street). The Zone is located on the four main entrances to the City and offers convenient access to the city's arterial road network. It also shares a lengthy interface with neighbouring residential areas.

The Outer Business Zone's large lot subdivision pattern, and its close proximity to the arterial road network has resulted in development that is vehicle orientated, space extensive, and low rise in nature.

The Zone consists of a diverse range of retail, office, commercial service, education and light industrial activities that complement and support activities in the Inner Business Zone. This is evidenced by the dominance of such activities as:

- Large format retail (household appliance, furniture, and flooring);
- Supermarkets;
- Auto sales and service;
- Vehicle sales;
- Office based activities (professional, financial, and medical services);
- Government, education and community services;
- Commercial accommodation;
- Depots, storage and distribution; and
- Cafes, restaurants and takeaways.

The Zone is characterised by a clear segmentation of activities by area, being the northern, eastern, western and southern precinct areas. The northern Rangitikei Street precinct contains a concentration of large format retail, supermarkets and trade supply outlets. The dominant land use pattern in the eastern Broadway Avenue precinct is office based activities such as professional, financial, community, and governmental services.

In addition to large format retail and a large supermarket, the western precinct contains a distinct concentration of commercial service activities such as auto sales and service, depots, storage, and manufacturing. The smaller southern Fitzherbert Avenue precinct is characterised by a concentration of commercial accommodation, cafes, restaurants and office activities.

Since the mid-1990s a shift in the nature and scale of retailing formats to a larger scale, vehicle orientated, and more autonomous retailing format is clearly evident in the Outer Business Zone. Over this time, in excess of 29,000m² of large format retail floor space has been established in the Zone.

The large lot subdivision pattern of the Outer Business Zone has enabled the aggregation of land parcels large enough to provide for the large buildings and the anticipated parking demands of space extensive activities. Arterial roads provide good levels of service for vehicle orientated large format retail and offer prominent visual exposure on key entry roads to the City.

The expansion of large format retailing in the Outer Business Zone, and in other parts of the

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City, and the lack of opportunities in the city centre to provide suitable sites for large format retail has made the city centre vulnerable to the adverse effects associated with retail dispersal.

A key component of achieving the Business Zones' overarching objective is to ensure an integrated approach is taken to managing retail activity by maintaining clear distinctions between the City's hierarchy of business zones. The Plan reinforces the distinction between the Inner and Outer Business Zones in a number of ways:

- The Outer Business Zone contains retail merchandising area restrictions that reinforce the intention that the Zone should not attract any significant node or grouping of shops in a pedestrian-style environment, akin to the Inner Business Zone.
- The Outer Business Zone provides for a diverse range of space extensive, vehicle orientated retail, office, light industrial and commercial service activities that complement the function of the Inner Business Zone;
- The Outer Business Zone is a less intensive, less integrated and a more directly vehicle oriented commercial environment when compared to the more pedestrian focused, intensely developed and integrated Inner Business Zone;
- The Outer Business Zone reinforces the Inner Business Zone by providing for a scale and form of activities that are not able to be accommodated in the Inner Business Zone;
- Development in the Outer Business Zone requires on-site self-sufficiency while development in the Inner Business Zone is less self-reliant and makes use of public infrastructure such as on-street parking, loading and streetscape/public space amenity works; and
- The Plan enables the greatest diversity, scale and intensity of development to occur in the Inner Business Zone when compared to the more limited development envelope provided for in the Outer Business Zone.

The market has a choice as to whether they take advantage of the public infrastructure in the Inner Business Zone, or whether they become fully self-reliant and locate in the Outer Business Zone.

Urban design audits of the City's Inner and Outer Business Zones in 2003 and 2008 identified the importance of managing the visual effects created by large buildings. Without careful design, large building development can compromise the public environment. Providing quality street edge treatment of developments along all streets is important, particularly on sites fronting main entrances to the City. In response to this issue, the Council has taken a targeted approach and applied urban design controls to larger scale buildings. These controls actively manage the building scale, form and quality of street edge development.

The Outer Business Zone shares an extensive boundary with neighbouring residential areas. Due to the sensitive nature of the interface with residential areas, controls have been placed in the Plan to manage the adverse effects of buildings and activities on the neighbouring residential environment.

11.8 Outer Business Zone Objectives and Policies

Within the broad framework of the City View objectives in Section 2, and the Overarching Business Zone objective, the following objectives and policies apply to the Outer Business Zone:

OBJECTIVE 1

To enable a range of activities that efficiently use the physical resources of the Outer Business Zone.

POLICIES

- 1.1 To ensure new land use activities in the Outer Business Zone reinforce the existing characteristics of the zone which include:
 - Vehicle orientated and space extensive activities with on-site parking
 - Activities that are single purpose and destination specific in nature
 - Activities that exhibit a product type or service specific emphasis
 - Activities that are conveniently located and easily accessed from arterial roads
 - A diverse range of retail, office, education, light industrial and commercial service activities that complement the function of the Inner Business Zone.
- 1.2 To provide for a diverse range of activities within the Outer Business Zone subject to meeting the performance standards in the Plan.
- 1.3 To enable good quality residential activities in the Outer Business Zone while ensuring that appropriate on-site measures are taken to protect residential development from any intrusive noise effects.
- 1.4 To enhance the quality and amenity of residential buildings in the Outer Business Zone by ensuring occupants have adequate access to daylight and sunlight.
- 1.5 Recognise the value and contribution of education and training activities undertaken by the Universal College of Learning and to facilitate the potential for expansion of its activities and minor ancillary works while ensuring a high quality of public environment is achieved.

Explanation

Maintaining the existing hierarchy of business zones is critical to achieving the sustainable use and development of the City's business area resources. Within this hierarchy, it is important that new business activities reinforce the existing characteristics and function of the Outer Business Zone. The distribution, scale and form of business activities in the Outer Business Zone meets the specific economic and locational needs of businesses in the City. In this regard, it is important that the Outer Business Zone continues to provide opportunities for business activities requiring space extensive premises with convenient access to the arterial road network and located in close proximity to the city centre. (Objective 1 and Policy 1.1)

The Outer Business Zone provides for a diverse range of activities. With the exception of crematoria and offensive activities, the Zone provides for a relatively unrestricted range of permitted activities, subject to specific performance standards to control environmental effects. Performance standards for parking; access; loading; lighting; signs; noise; outdoor storage and hazardous substances focus on controlling adverse effects associated with the operation of activities. Performance standards for the construction, alteration and addition to buildings focus on actively managing building scale, form and the quality of the street edge. (Policy 1.2)

The Council seeks to encourage residential activities and further promote the existing mixed land use pattern of the Outer Business Zone. The Zone is centrally located around the city centre, is adjacent to the arterial road network, and has convenient access to essential services, employment nodes and recreational facilities. These locational attributes will enable residential activity that offers convenience and choice to the market while helping to minimise travel distances and improve access to employment, services and recreation activities. Critical to the sustainable management of the Outer Business Zone's physical resources is the maintenance of its core function of providing for the development and operation of commercial activities. In this regard, it is important that noise sensitive residential development does not compromise the effective development and operation

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of commercial activities. To address the potential reverse sensitivity effects that may constrain commercial activities the Plan requires residential development to provide acoustic insulation as a means of mitigation. (Policy 1.3)

Residential use is typically sensitive to the level of daylight, and direct sun access is desirable. Ensuring adequate access to daylight and sunlight can readily be addressed if considered at the design stage of development. (Policy 1.4)

The Universal College of Learning (UCOL) is unique in that it functions as a major education provider within the Outer Business Zone. UCOL provides education and training services rather than commercial activities. Development should be appropriate for the intended educational and training use while ensuring a quality public environment is achieved. (Policy 1.5)

OBJECTIVE 2

The Outer Business Zone has a high level of functional amenity.

POLICIES

- 2.1 To manage the adverse effects of business activities on each other or on other activities located within the Outer Business Zone.
- 2.2 To avoid the adverse effects of offensive activities, including crematoria in the Outer Business Zone by controlling their establishment.
- 2.3 To ensure development provides for a safe and convenient pedestrian environment.
- 2.4 To ensure that public areas (including privately owned spaces that are characterised by patterns of public use) are suitably lit.

Explanation

It is important that activities within the Outer Business Zone are able to operate in a way that maximises the locational attributes of the Zone. A high level of functional amenity is enjoyed by activities that require convenient access to the arterial road network and a location in close proximity to the city centre. Given the wide range of commercial and industrial activities provided for by the Zone, it is important that a high level of functional amenity be maintained so that the sustainable management of physical resources is achieved. (Objective 2)

Business activities have the potential to generate effects relating to such matters as noise; parking; location of access/egress points; loading and storage areas which may impact on the level of functional amenity experienced by activities within the Zone. The Plan seeks to manage these effects through the use of targeted performance standards to achieve a high level of functional amenity within the Zone. (Policy 2.1)

To counteract the potential erosion of functional amenity that might arise as a consequence of allowing a relatively unrestricted range of activities to establish in the Outer Business Zone, crematoria and offensive activities have been discouraged. (Policy 2.2)

While the Outer Business Zone does not have the pedestrian focus of the city centre, development should support safe and convenient pedestrian environment. This is particularly important in car parking areas where safe and convenient pedestrian pathways to buildings should be provided for. Suitably lit public areas are important to ensure public and user safety, security and comfort. The design and siting of buildings should help reduce the potential impacts of crime and enhance personal and property safety. (Policies 2.3 and 2.4)

OBJECTIVE 3

The Outer Business Zone has a high level of visual amenity.

POLICIES

- 3.1 To ensure that development fronting the Primary Road Network is of a high quality and enhances the main entrances into the City.

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- 3.2 To mitigate the visual effects of large unbroken areas of asphalt by ensuring car parking is visually attractive when viewed from both the private and public realms.
- 3.3 To ensure the visual effects of development are managed by requiring skilled landscape design to contribute to the quality and attractiveness of the wider street environment.
- 3.4 To maintain and enhance the identified character of particular retail areas in the Outer Business Zone.

Explanation

In addition to managing the amenity of residential areas adjacent to the Outer Business Zone, it is important that the standard of amenity within the Zone is maintained, and where possible, enhanced. (Objective 3)

Much of the Outer Business Zone fronts onto roads forming part of the Primary Road Network, which in many instances also function as main entrances to the City. The Council expects development fronting these key roads to maintain the existing alignment of the built environment and provide a quality street edge on main entrances into the City. (Policy 3.1)

The quality and attractiveness of the wider street environment is heavily influenced by the siting and design of buildings and the associated landscaping of parking areas. Skilled building design should promote the creation of visual interest at the street edge through façade composition and surface treatment. Buildings are required to provide frontages that include entrances and openings facing the street. Landscaping should establish an attractive appearance and complement public landscaping at or near the street edge and establish conditions of visual interest and amenity within the development, particularly within car parking areas. It is critical to ensure that landscaping works well with the intended built form. (Policies 3.2 and 3.3)

Over time, a number of small business areas have developed their own particular character which contributes to people's appreciation and enjoyment of them. It is important to maintain and enhance this character so that it can be enjoyed by future generations. In the Broadway and Terrace End areas, extensive veranda coverage, landscape planting, and street edge planting provide character. This combination of features provides for a high level of pedestrian amenity and visual attractiveness. (Policy 3.4)

OBJECTIVE 4

The amenity values of neighbouring residential areas are protected.

POLICIES

- 4.1 To minimise the effects of building development or redevelopment on residential areas by avoiding:
 - Excessive building scale
 - Overshadowing
 - Inappropriate building bulk
 - Invasion of privacy
 - Light spill
 - Loss of access to daylight.
- 4.2 To manage the adverse environmental effects of business activities on the following attributes of residential amenity:
 - Visual amenity
 - Streetscape
 - Acoustic environment

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- Pedestrian and cyclist safety
- Vehicular access and safety.

- 4.3 To promote the use of landscape or architectural design at the interface with residential areas to manage the visual effects of development.
- 4.4 To control building mass in conjunction with building height to manage the visual effects of development at the interface with residential areas.

Explanation

The Outer Business Zone shares an extensive interface with an adjacent residential zone. This interface is a particularly sensitive one as the effects associated with business activities have the ability to adversely impact on the use and enjoyment of neighbouring residential areas. The amenity values of sensitive residential areas could be adversely affected by factors such as; scale and intensity of activities; the design and external appearance of buildings and site layout; traffic generation; vehicle access; hours of operation; noise; parking; access to daylight; glare and vibration. Given the extent of this interface, and the relatively unrestricted range of activities permitted within the Zone, Council seeks to ensure that the adverse environmental effects associated with the development and operation of business activities are actively managed. (Policies 4.1 to 4.4)

OBJECTIVE 5

Large buildings in the Outer Business Zone are designed to ensure their impacts on surrounding buildings, streetscape and public areas maintain or enhance the zone's visual character and amenity.

POLICIES

- 5.1 To manage the impacts of large buildings on the visual character and amenity of surrounding buildings, public areas and the streetscape.
- 5.2 To require large building development to provide design treatment at or facing the street edge and façade articulation that contributes to the quality and attractiveness of the wider street environment.
- 5.3 To maintain and enhance the amenity of the Outer Business Zone by controlling the bulk, location, external design and landscaping of large buildings.
- 5.4 Require all development to provide frontages including entrances and openings facing the edge of the Primary Road Network.
- 5.5 To promote large building development that maintains a high quality public environment while being safe, attractive and convenient for a diverse range of uses.
- 5.6 To avoid building development that is characterised by lengthy featureless blank walls, particularly buildings with frontage to the street.
- 5.7 To avoid blank secondary frontages and service areas at the street edge.
- 5.8 To ensure service and loading areas are not in prominent view of the street edge, particularly sites fronting the Primary Road Network.

Explanation

As described in the introduction, an important resource management issue that has arisen in the Outer Business Zone is the adverse environmental effects associated with large building development.

Large scale development can lead to a more lasting and dominant presence in the urban environment than smaller size development in the City. The Council expects large buildings to be designed in a way that ensures their impacts on surrounding buildings,

streetscape and public areas maintain or enhance the visual character and amenity of the Zone. In particular, large buildings should be well designed and sited, and avoid large blank walls at or along the street edge; extensive paved parking areas; and poor relationship with the street frontage.

The potential negative streetscape implications of large development in the Outer Business Zone highlights the importance of applying design controls relating to building scale, form, and street edge treatment. The Council has taken a targeted approach and applied urban design principles to larger scale building development.

The restricted discretionary activity status for larger building development in conjunction with urban design related assessment criteria seek to achieve a consistent quality of urban design outcomes in the Outer Business Zone, particularly along the main entrance roads to the City. The Council has adopted a 500m² floor area threshold triggering a discretionary consent application that allows urban design matters to be considered when assessing a consent.

The expectation is that large scale development should positively address the street edge and create an attractive interface where the public and private realms meet. This is achieved by ensuring that aspects of development such as bulk, location, external design and landscaping work together to create an outcome that ensures impacts on the visual character and amenity of surrounding buildings, streetscape and public areas are appropriately managed. (Policy 5.1)

Facades of buildings should include appropriate modulation, design treatment and articulation. The creation of featureless blank walls, particularly at or near the street edge, should be avoided. In terms of creating visual interest and positively addressing the street, development should provide entrances and openings facing the street edge and ensure loading areas are not in prominent view of the street edge. Sustainable building design involves development that maintains a high quality public environment while being safe, attractive and convenient for a range of uses over time. (Policies 5.2 to 5.8)

OBJECTIVE 6

The Outer Business Zone provides for the development and operation of activities, while mitigating the impacts on the City's land transport network.

POLICIES

- 6.1 Business activity which is a high traffic generator should be located and designed in a manner which manages the potential adverse effects on traffic safety and efficiency.
- 6.2 To encourage business activities in localities adjacent to the Primary Road Network to maintain accessibility and to minimise traffic impacts on surrounding areas.
- 6.3 To ensure activities in the Outer Business Zone have sufficient on-site parking to meet the needs of employees and customers so that overspill parking does not adversely affect surrounding land use activities.

Explanation

A key locational attribute of the Outer Business Zone is its proximity and convenient access to the Primary Road Network. This locational attribute has encouraged the development and operation of business activities that require convenient access and egress from the adjacent road network.

The general development pattern of the Outer Business Zone is space extensive, vehicle orientated and low rise in nature. The dominant development pattern in the Zone is not intensive nor does it generally involve activities that involve high traffic generation. However, some larger business activities may have significant local effects on the safe and efficient operation of the road network.

The safe and efficient operation of the road network depends in part on the availability of convenient and safe parking, loading and manoeuvring facilities and access points. In all zones except the Inner Business Zone, land use activities are required to provide parking and loading

facilities on site. The number of parking spaces required in the Outer Business Zone aims for normal or reasonable requirements for staff, customers, or visitors. The Plan's rules relating to the number and placement of access points aim to protect the road network's function in the road hierarchy and to minimise disruption to the flow of traffic and adverse effects on the safety of other road users. (Policies 6.1 to 6.3)

OBJECTIVE 7

The form and scale of activities within the Outer Business Zone do not detract from the vibrancy and viability of the Inner Business Zone.

POLICIES

- 7.1 To promote a diverse range of space extensive, vehicle orientated retail, office, education, light industrial and commercial service activities as well as good quality residential that complement the function of the Inner Business Zone.
- 7.2 To reinforce the Inner Business Zone by providing for a scale and form of activities in the Outer Business Zone that are not able to be accommodated in the Inner Business Zone.
- 7.3 To reinforce the distinction between the Inner and Outer Business Zones by requiring all Outer Business Zone activities to be fully self-reliant in terms of on-site operations.
- 7.4 To ensure that all parking required for activities in the Outer Business Zone adjacent to the Fringe Business Zone be provided on-site.

Explanation

The overarching business zone objective seeks to achieve the sustainable use and development of physical resources by reinforcing the existing hierarchy of business zones. An important element in achieving this objective is to ensure that the form and scale of activities in the Outer Business Zone are managed in a way that maintains and reinforces the vibrancy and viability of the Inner Business Zone. (Objective 7)

The Outer Business Zone provides for the development of a diverse range of space extensive, vehicle oriented retail, office, education, commercial service and light industrial activities that complement and support the vitality and viability of the Inner Business Zone. The Zone is a less intensive and more directly vehicle oriented commercial environment when compared to the more pedestrian focused, intensely developed and integrated Inner Business Zone. In this regard, the Plan seeks to maintain and reinforce the existing distinction between the Inner and Outer Business Zones in terms of the distribution, scale and form of business activities in each Zone (Policy 7.1)

An important function of the Outer Business Zone is its ability to provide for a scale and form of activities that are not able to be accommodated in the Inner Business Zone. The Outer Business Zone provides opportunities for activities such as large format retailing, which struggle to find suitably large sites in the Inner Business Zone. In this way, the Plan seeks to reinforce the existing hierarchy of business zones by ensuring the Outer Business Zone is able to provide for a scale and form of activities that are not able to be provided in the Inner Business Zone. (Policy 7.2)

The Plan seeks to sustainably manage retail activity by ensuring an integrated approach is taken to managing retail by maintaining clear distinctions between the component zones of the City's business hierarchy. The Plan maintains this distinction by requiring development in the Outer Business Zone to be self-reliant in terms of on-site operations while development in the Inner Business Zone is able to make use of public infrastructure such as on-street parking, loading, pedestrian routes and streetscape/public amenity works. (Policy 7.3)

The Outer Business Zone land adjacent to the Fringe Business Zone land bounded by Featherston Street and Ngata Street is extensive in area and potentially could be developed for an intensive form of retailing activity which could result in adverse retail distributional effects on the city centre. To avoid such an occurrence, it is critical that any re-development of this Outer Business Zone land be undertaken in such a manner that is self-sufficient in its car parking needs. This is as opposed to relying on any parking areas established in the Fringe Business Zone assisting in meeting the parking needs of any future redeveloped area within the adjacent Outer Business Zone area identified in Figure

11.9 Outer Business Zone Rules

11.9.1 RULES: PERMITTED ACTIVITIES

R11.9.1.1 Permitted Activities

Any activity is a Permitted Activity except for:

- Those specified as Controlled Activities, Restricted Discretionary Activities or Discretionary Activities;
- Offensive Activities which are Non-Complying Activities.

provided that the following performance standards are complied with:

Performance Standards

(a) Maximum Number of Retail Activities Below 300m² of Merchandising Area

- i. Not more than one retail activity having a Merchandising Area below 300m² is permitted per site or development.
- ii. Performance standard (i) does not apply to:
 - Prepared Food and Beverage Outlets;
 - Restaurants;
 - Automotive and Marine Suppliers;
 - Service Stations;
 - Floor Covering Showrooms;
 - Building Suppliers;
 - Auction Rooms;
 - Farming and Agricultural Suppliers;
 - Garden and Patio Suppliers;
 - Office Product Suppliers;
 - Trade Suppliers; and
 - Retail Ancillary to Industrial or Commercial Service Activities.

Explanation

The Outer Business Zone provides for a diverse range of activities, including small scale convenience and general merchandising retail. The purpose of the performance standard is to provide for the continued operation of small scale retail activities while discouraging development which could lead to the creation of a comparison shopping retail node similar in scale and pedestrian focus to the Inner Business Zone.

(b) Lighting

- i. Compliance with R11.6.1.1 (a) (i), (ii), (v), and (vi).
- ii. Car park lighting may be turned off 30 minutes after the last business served by the car park closes.

Explanation

The Outer Business Zone shares an extensive interface with the Residential Zone. The Plan seeks to manage the negative effects of exterior lighting on residential activities in all zones by avoiding light spill, glare, and other potentially obtrusive effects of exterior lighting.

(c) Storage Areas

- i. Any outdoor storage area visible from any residential zone or public area will be screened from view by either a fence or wall of not less than 1.8 metres in height or dense planting of vegetation capable of growing 1.8 metres in height.
- ii. No storage area or yards are permitted at the street edge.

Where any area is used for the outdoor storage of goods it must comply with the following:

- iii. All activities must accommodate the storage of goods, materials, and waste products in a manner that does not conflict with vehicle access, manoeuvring, and parking.
- iv. Any outdoor storage area must be maintained with an all-weather dust free surface.
- v. No outdoor storage area must encroach onto the required parking, loading or planting areas.

Explanation

Outdoor storage areas and particularly those used for the storage of waste, can detract from the visual amenity of neighbouring residential properties or public areas such as footpaths, roadways or reserves. Suitable screening and well maintained storage areas mitigate effects associated with rubbish and dust in storage areas. Screening of such areas should ensure that the standard of amenity experienced in the Outer Business Zone and in nearby residential areas does not deteriorate.

(d) Loading and Access

- i. Compliance with R20.4.2(a) Vehicle Access
- ii. Compliance with R20.4.2(e) and (f) Loading Space Provision and Design.

(e) Vehicle Parking

- i. Compliance with R20.4.2(b)(i) Parking Spaces for People with Disabilities.
- ii. Compliance with R20.4.2(d) Formation of Parking Spaces.
- iii. Compliance with R20.4.2(g) Cycle Parking Provision and Design
- iv. Compliance with R20.4.2(h) Cycle Parking End of Trip Facilities

(f) Car Park Landscape Design

Compliance with R20.4.2(c) Car Park Landscape Design.

(g) Servicing and Loading Hours

Any Permitted Activity situated on any site which adjoins any part of a site in a residential zone or directly faces any part of a site in a residential zone, across a road, right-of-way,

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access strip, service lane or drain must only undertake the delivery of goods, product, waste or material and/or the distribution of goods, products or materials between 6:00 am and 10:00 pm.

Except that this rule must not apply where:

- i. On-site road access and manoeuvring area for vehicles involved in the delivery and/or distribution of goods, products or materials are located at least 80 metres from the boundary of the nearest property in a residential zone; and
- ii. Loading and unloading areas for vehicles involved in the delivery and/or distribution of goods, products or materials are located at least 80 metres from the boundary of the nearest property in a residential zone.

Explanation

Where properties in residential zones come in close contact with business areas these properties can be adversely affected by night-time delivery, distribution, and loading activities. For example, noise from idling vehicles or the opening and closing of doors. By controlling servicing and loading hours at the residential interface, it should be possible to reduce the disturbance to nearby residential neighbours.

(h) Signs

Compliance with R6.1.5.

(i) Hazardous Substances

Compliance with the provisions of Section 14 Hazardous Substances.

(j) Noise

Compliance with R11.9.7.1.

NOTE TO PLAN USERS

Also refer to:

R23.6.2(i) – Radiofrequency Field Exposure.

R11.9.1.2 Construction, External Alteration or Addition to a Building

The Construction, External Alteration or Addition to a Building is a Permitted Activity provided the following Performance Standards are complied with:

NOTE TO PLAN USERS

Plan users are advised to check the Schedule of Buildings and Objects of Cultural Heritage Value to ensure that the building is not subject to the additional provisions of the Cultural Heritage Section.

Performance Standards

(a) Maximum Floor Area

- i. The construction of all buildings with a total gross floor area of up to 500m² are permitted.
- or
- ii. In respect to existing buildings, any external additions or alterations involving an additional total gross floor area of up to 500m² are permitted.

Explanation

The Plan has taken a targeted approach and applied design principles to larger developments. Once a building exceeds 500m², the scale of a building rapidly increases. In this regard, a 500m² maximum floor area has been set so that urban design matters can be taken into account when assessing resource consents for larger buildings.

(b) Maximum Building Height

- i. Any buildings or structures must comply, in terms of maximum height, with R13.4.7.
- ii. The maximum permitted height of a building is 12 metres, except that roof-top services and plant rooms may extend to a maximum height of 15 metres.
- iii. Except at any boundary adjoining a site in a residential zone, the maximum height of any building where residential activity is planned is permitted to exceed the maximum building height limit specified in (b)(ii) above by 3 metres.
- iv. Any building on:
 - a. Lot 1 and Pt Lots 2, 3 and 4 DP 3584, Pt Sec 637 Tn of Palmerston North, and Pt Sec 641 Tn of Palmerston North, being 582 Main Street, Palmerston North must comply with R10.6.1.1(a) Height Recession Planes (i) to (v) and (b) Overlooking on the shared boundary with Lots 1 and 4 DP 56366 (Marece Court);
 - b. Pt Sec 643 Tn of Palmerston North, being 564 to 568 Main Street, Palmerston North, must comply with R10.6.1.1 (a) Height Recession Planes (i) to (v) and (b) Overlooking on the shared boundary with Lots 2 and 3 DP 56366 (Marece Court);
 - c. Any building on a site described in (a) and (b) above, will be located at least 3 metres from the common boundary with Marece Court properties.

Explanation

The 12 metre maximum height provision allows for a typical 3.6 metre floor to floor height with an additional 30% height at the ground floor if required. Building height beyond the 12 metre maximum triggers discretionary consent because development above this height will rise higher than the majority of development in the Outer Business Zone.

The ability to exceed the maximum building height provision for buildings planned for residential activity is to encourage residential intensification close to the city centre. Four storey development is unlikely to compromise the amenity of adjoining areas or public space, although excessive shading should be avoided at the interface with residential areas.

The application of the Residential Zone height recession plane in R11.9.1.2(b)(iv) will ensure the dimensions and spacing of commercial buildings on the neighbouring properties with Marece Court do not adversely affect residential amenity and character.

(c) Height of Any Building Which Adjoins a Site in a Residential Zone

Any building on a site adjoining a site in a residential zone must comply with R10.6.1.1(a) Height Recession Planes (i) to (v) and (b) Overlooking.

Explanation

The purpose of the recession plane provision is to ensure that the standard of amenity on the boundary is sufficient to ensure the protection of neighbouring residential amenity. The recession plane will ensure the dimensions, setback and spacing of commercial buildings adjoining residential zoned sites relate positively to the building forms typical of a residential neighbourhood.

The maximum floor area provision of 500m² triggers discretionary consent criteria for all developments likely to be of a scale that could be problematic in relation to the character of neighbouring areas.

(d) Maximum Building Height Adjoining a Scheduled Building

The maximum permitted height of any building or structure on a site which adjoins a scheduled building identified in the Plan is no more than one storey higher than the scheduled building within a distance of 5 metres of the street frontage and along the common boundary.

Explanation

The primary way of managing the visual effects of new buildings on adjoining or adjacent scheduled buildings is to manage the relationship of building scale. When considering character, relative rather than absolute height is important.

(e) Separation Distance

Any building on a site which adjoins any part of a residential zoned site will be located at least 3 metres from the common boundary.

Explanation

A setback has been required from the Residential Zone boundary to help ensure the scale and size of commercial buildings do not unduly detract from the enjoyment, use and amenity of adjoining properties. It also allows the opportunity for locating landscaping to reduce the impact of buildings and assists with sunlight and daylight penetration. Sunlight access to residential dwellings is important for reasons of amenity and energy efficiency.

(f) Building Frontages

- i. All buildings on sites fronting a Major or Minor Arterial Road, including buildings with frontage to those parts of Fitzherbert Avenue, Main Street and Rangitikei Street that are not categorised as a Major or Minor Arterial Road, and Broadway Avenue, will be built to the street boundary.
- ii. On all other roads, all buildings will be built to the front boundary along no less than 50% of the street boundary.
- iii. No building will create a featureless façade or blank wall at the ground level street frontage wider than 6 metres. A featureless façade or blank wall is a flat or curved wall surface without any openings or glazing.
- iv. All buildings will provide clear glazing for at least 75% of its height for at least 50% of the ground floor building frontage.

Explanation

The requirement to build to the front boundary for sites with frontage to Arterial Roads recognises the importance of maintaining the existing alignment of the built environment. It also promotes the provision of quality street edge development on important entrance roads into the city.

On all other roads, the requirement to build to the front boundary along no less than 50% of the street boundary recognises the greater vehicle orientation of activities in the Outer Business Zone. Given the space extensive and vehicle orientated nature of development in the Outer Business Zone a lesser requirement is appropriate.

However, position of frontage relative to the street edge and alignment with neighbours remains important. It is critical that the external appearance of buildings promote a high quality public environment and that featureless facades or blank walls that are visible from the public realm are avoided. Where a proposal fails to articulate or eliminate wall surfaces that are featureless or blank a discretionary consent will be required.

Large blank walls at the street edge with a complete absence of glazing should be avoided. Importantly, the provision of shopfront glazing allows for ready change of use for buildings. If the primary activity behind the façade does not require street exposure then screening or non-privacy sensitive activities can be brought to the street edge. However, there may be circumstances where the extent of glazing may be appropriately reduced

(g) Pedestrian Cover

A cover over all main pedestrian entrances at ground level will be provided that covers the width of the entrance opening for a depth of not less than 2 metres.

(h) Ground Level Parking

Ground level parking areas are permitted within 10 metres of the street edge along not more than 40% of the frontage width.

Explanation

Allowing for carparking at the frontage provides for the increased vehicle orientation of most of the activity in the Outer Business Zone. However, establishing a threshold also provides for landscaping or building frontages at the street edge. There may be instances where a greater proportion of the street edge can acceptably be used for parking. This might be where, for example, the established precedent and character of the street is determined by well landscaped carparks at frontages and the street edge has low pedestrian use. Potential approval of this type of development is then through a discretionary consent process.

(i) Landscape Amenity

Except as provided for under R11.9.1.2(k) (Outer Business Amenity and Character Areas), the following are Landscape Amenity performance standards associated with permitted activities:

i. Street Frontage

- Any building which does not have a frontage to either a site in a residential zone or is not built to the street frontage, and whose frontage is not a car parking area, will provide at least one specimen tree for every 7 metres of site frontage, or equivalent suitable landscape works.
- Any building which fronts a site in a residential zone and is not built to the street frontage, will provide, located at or on street frontage, at least one specimen tree for every 7 metres of site frontage.

Trees

- Trees will be planted so as to provide separation between on-site pedestrian and vehicle activities and pedestrian/vehicular activities taking place on the street.
- Trees will be well developed specimen trees, capable of growing to a height of 5 metres within ten years of planting.
- Where existing trees over 5 metres tall are to be retained along a frontage, these trees will be credited towards these requirements.
- Where trees are planted in a strip, this area must have a minimum width of two metres.
- Where trees are planted individually along a frontage, each tree must be planted in an area not less than 4m².

Suitable Landscape Works

- The total area of landscape works will be not less than the frontage length multiplied by 2 metres and will be located at the street frontage.
- A minimum of 90% of any area proposed to meet part or all of the landscape works must comprise planting.
- Planting will include trees where these exist at the frontages of immediately

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adjacent sites but will otherwise include a combination of shrubs and ground cover (which may include lawn grass) with not less than half of the required planted area covered by shrubs.

- Any area of planting is not to be less than 4 m² in area and will have a minimum dimension of 1.5m measured to the edge of the planted area.
- Paved areas that are part of the area of landscape works will not be used for car parking and will be constructed from modular pavers or other high quality paving materials in a considered composition.
- Paving and other hard landscaping elements such as, for example, bollards, fences, poles or water features, and other sculptural elements will be planned in a way and built of materials that establish a visual link between the building and the frontage.

Process

- Frontage landscape works are required for all new buildings; in all situations where a building fronts a site in a residential zone; and to buildings which are being added to or altered only when the addition or alteration is located at, or prominently visible from, the site frontage.
- A plan of frontage landscape works will be prepared and submitted by the developer at the time of the construction, alteration or addition to a building. This plan must be approved by the Council in writing and subsequently implemented in full. This is to ensure that the requirements above are adequately satisfied.
- All planting must be completed before the buildings on the site are occupied or, where this is not seasonally practicable, within the first planting season after completion of the buildings.
- All landscaping areas must be well maintained at all times.

ii. Perimeter Planting

- An amenity strip of not less than 3 metres in width must be provided along the boundary of any site which adjoins a site in a residential zone.
- Planting of this strip must include specimen trees capable of attaining a height of 5 metres or more, planted at a minimum frequency of one tree every 7 metres along the length of the amenity strip.
- All planting must be completed before the buildings on the site are occupied or, where this is not seasonally practicable, within the first planting season after completion of the buildings.

Explanation

Landscaping is an important contributor to the provision and maintenance of amenity both within the Business and Industrial Zones and at the interface between these zones and neighbouring residential areas. In addition to its amenity contribution, landscaping also provides a useful technique for mitigating adverse effects through, for example, softening the appearance of development (e.g. monotonous building form, parking areas); separating activities; and providing form, scale and texture that complement development.

(j) Vehicle Parking, Loading, Site Access and Car Park Landscape Design

Compliance with R11.9.1.1 (d), (e) and (f).

(k) Outer Business Amenity and Character Areas

On street frontages identified on Figure 11.1 as Outer Business Amenity and Character Areas veranda or landscape planting will be provided as follows:

iii. Option Areas

- Where a building is built to within 2.0 metres of the street boundary within the "Option Areas" identified in Figure 11.1 that building will provide a veranda which is connected to any adjoining verandas and which provides coverage along the full length of the building frontage.
- Any such veranda will be set back 600mm from the face of any kerb.
- Where a building within the "Option Areas" identified in Figure 11.1 is set back from the street boundary, the site will be provided with landscaping in accordance with Rule 11.9.1.2(i) as though it were a building fronting a residentially zoned site.

iv. Modified Landscaping Areas

- Where a building is built to within 2.0 metres of the street boundary within the "Modified Landscaping Areas" identified in Figure 11.1 that building will provide a veranda which is connected to any adjoining verandas and which provides coverage along the full length of the building frontage.
- Any such veranda must be set back 600mm from the face of any kerb.
- Where a building within the "Modified Landscaping Areas" identified in Figure 11.1 is set back more than 1.5 metres from the street boundary, the site will provide landscaping in accordance with R11.9.1.2(i), with the exception that trees are not required where street tree planting already exists within the road reserve.

R11.9.1.3 Tertiary Education Providers: Minor Ancillary Structures and Works

Despite R11.9.1.1 and R11.9.1.2, other than R11.9.1.2(d), any structure ancillary to the activities of a tertiary education provider (as defined in the Education Act 1989) that meets one or both of the following criteria is a Permitted Activity:

- a. Structures not exceeding 50m² gross floor area or footprint whichever is greater.
- b. Works affecting no more than 20 metres of frontage of an existing building provided that existing glazing at street level shall not be permanently reduced by more than 40%.

and without limitation includes the following types of activities:

- Bus shelters
- Bike sheds
- Storage bins and screening
- HVAC equipment and screening
- BBQ facilities
- Covered parking meter bays
- Guard shelters

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- Artworks
- Wind lobbies
- External elevator shafts
- Window screening.

Where (a) or (b) are not met, such minor ancillary structures and works shall be considered under R11.9.1.1 or R11.9.1.2 as applicable.

11.9.2 RULES: CONTROLLED ACTIVITIES

R11.9.2.1 Any activity or the Construction, External Alteration or Addition to a Building on the property bounded by Church Street, West Street and Main Street described as:-

Lot 4, DP35156, CT WN12A/1310 and Lot 5, DP35156, CT WN12A/1311

Are Controlled Activities with regard to:

- Design and appearance of buildings;
- Landscaping;
- Site Layout;
- The safe and efficient operation of the roading network;

And for residential activity also with regard to

- Remediation of contamination on the site

Provided that the following Performance Standards are complied with:

Performance Standards

Activities must comply with the performance standards of Rules 11.9.1.1 and 11.9.1.2, and the following additional performance standards. Where there is any difference between the additional performance standards and those set out in Rules 11.9.1.1 and 11.9.1.2, the additional standards must be those which apply:

(a) Building Height, Bulk & Site Coverage

- Site coverage must not exceed 50%. Where buildings exceed 30% site coverage, they must not exceed 15m in height.
- Where building site coverage does not exceed 30%, no building may exceed a maximum height of 20m, except that, where three or more buildings are proposed, any individual building must not exceed 25 metres in height provided the average maximum height of all buildings is 20 metres.
- All buildings and structures located within 15m of any road frontage must be contained within a 30° plane commencing at 7.75m above ground level inclined inwards at right angles in plan from the road boundary.

(b) Building/Activity Setbacks

- All buildings (excluding gutters, structural elements and architectural features) must be set back from the legal frontage by a minimum of:
 - 8 metres from the Main St frontage except that parts of buildings may be located no closer than 6m to the road frontage provided that the existing mature trees can be retained with only minor trimming. Those parts of the

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building that are setback closer than 8 metres must not exceed 50% of the total length of the building along the Main St frontage and must not exceed 3m in height.

- 20 metres from the West St frontage
- 2 metres from the Church St frontage.
- ii. Car parking areas must be set back from the legal frontage by a minimum of:
 - 6 metres from the Main St frontage
 - 6 metres from the West St frontage
 - 2 metres from the Church St frontage

(c) Gross Floor Area

- i. The gross floor area of retail activity must not exceed 10,500m² and may comprise individual retail activities or premises provided one of the criteria in (ii) is met.
- ii. No individual retail premise or activity can be or occupy less than 1200m² of gross floor area or the average gross floor area of individual retail premises or activities must be no less than 1500m² in extent.

(d) Vehicle Parking, Loading and Site 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 Provision and Design.

(e) Retention of Existing Trees

Existing trees at street frontages having a height of 8m or more must be retained unless removal is necessary to provide for vehicle entry and egress or because the trees are terminally damaged or diseased.

(f) Maintenance of Existing Trees

Any tree works are to be carried out by an arborist approved by the Head of Planning Services of the Palmerston North City Council and pursuant to a written proposal confirming the nature of the works proposed and the methods employed to protect the tree or trees in question.

NOTE TO PLAN USERS

The "site" for the purpose of applying the performance standards of R11.9.2.1 is defined as the complete and contiguous area comprised in Lot 4, DP35156, CT WN12A/1310 and Lot 5, DP35156, CT WN12A/1311, bordered by Church Street, West Street, and Main Street.

Assessment Criteria

In determining whether to grant consent and what conditions to impose, if any, Council will, in addition to the objectives and policies of the Outer Business Zone assess any application in terms of the following further policies.

- i. To avoid, remedy or mitigate the effects of activities on the amenity values and

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ambience of the surrounding environment, consistent with the business zoning and efficient development of the site.

- ii. To ensure compliance with the noise standards of R11.9.7.1 to avoid or mitigate noise disturbance on surrounding areas, particularly any residential areas.
- iii. Particular regard must be given to enhancing the streetscape character of Church Street, West Street and Main Street through landscape planting including, but not limited to, the planting of specimen trees, the provision of a landscape strip along the road frontage except at access points and by retaining existing mature frontage trees.
- iv. To avoid, remedy or mitigate any adverse effects associated with large areas of paved surface by the planting of trees within such areas.
- v. To ensure that the effects of the location, design and appearance of any building or structure is adequately mitigated, having regard to the ambience and amenity values of the surrounding area.
- vi. Particular regard must be given to avoiding, remedying or mitigating any adverse effects associated with the scale and bulk of the building through the use of colour finishes (generally natural and recessive colours), materials, articulation of form and landscaping, designed to achieve visual interest, visual depth and modulation and a frontage landscape theme consistent with the scale of the site and that contributes to the extended pattern of landscaping through the City.
- vii. To avoid, remedy or mitigate the effects of additional traffic generated by activities on the site on the safety and efficiency of the road network.
- viii. To have particular regard to the safety of cyclists and pedestrians.
- ix. To ensure adequate provision is made for parking, access and maneuvering areas within the site.
- x. To ensure that where residential activity is proposed any contamination of the relevant parts of the site are remediated to a standard that is appropriate.
- xi. The elevated nature of the site at its West Street frontage is acknowledged and dealt with appropriately and sensitively to ensure that the appearance of vehicles and headlight glare does not detract from, or compromise, the gateway approach to the city centre or adversely affect neighbours in the West Street area, with any retaining walls and/or fences carefully and sensitively designed and screen planted so as to be an integrated landscape feature and element in the gateway approach.
- xii. The existing tree edge of the site is expanded along its West and Church Street frontages and specimen trees are planted within the on-site car park.
- xiii. The root zones of the existing specimen Poplar trees (i.e., underneath their canopies) on the West Street frontage are adequately protected, with the area within 5m of the tree trunks undisturbed by earthworks or by being sealed for parking/access to the greatest extent practicable.
- xiv. To ensure that in implementing the above policies the efficiency and functional requirements of the development and building are taken into account.

Explanation

Landscaping is an important contributor to the provision and maintenance of amenity values in respect of activities located on prominent road frontages. Landscaping mitigates adverse effects by, among other things, softening the visual impact of buildings and paved areas, by separating

activities, and providing scale, form and texture that complement development.

By the use of recessive colour schemes, choice of materials and articulation of form in combination with landscaping the domination effects of large scale buildings on streetscape and neighbouring properties can be mitigated.

Performance standard (c) is intended to enable large format or bulk retailing and to prevent the unfettered use of the site for retailing activity of the type that occurs in the CBD where there is a range of individual or discrete retail activities, often in a single building.

Provision of an integrated car park will ensure its convenient and safe operation and maintain an open appearance of the site and reduce potential effects of large scale buildings on residential amenity and streetscape.

Access to and from a Major Arterial Road, such as Main Street, requires careful attention because the primary function of the road is to provide for the movement of large traffic volumes. The design, location and number of access points to a Major Arterial Road has a direct relationship to the safety and efficiency of the road.

Investigations have recorded that some soot and hydrocarbon contamination of the site remains from its former railway use. It has been established that contamination levels are acceptable for commercial development where most of the site will be sealed or built over. However, further investigation is necessary to determine what, if any, site remediation should be carried out to make the land suitable for residential activity.

R11.9.2.2 Non-notification of Controlled Activities

Applications for Controlled Activities (R11.9.2.1) must not be publicly notified and there must be no limited notification.

11.9.3 RULES: RESTRICTED DISCRETIONARY ACTIVITIES

R11.9.3.1 Activities which do not comply with the Permitted Activity Performance Standards

Activities which do not comply with the Permitted Performance Standards (in Rules R11.9.1.1) in relation to:

- (a) Lighting
- (b) Storage Areas
- (c) Loading and Access
- (d) Vehicle and Cycle Parking
- (e) Car Park Landscape Design
- (f) Servicing and Loading Hours

are Restricted Discretionary Activities with regard to:

- Design and appearance
- The safe and efficient operation of the roading network
- Effects on residential amenity
- Visual amenity
- Public safety
- The provision of car parking.

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 Overarching Business Zone and Outer Business Zone objectives and policies, assess any application in terms of the following assessment criteria:

Assessment Criteria

(a) Lighting

The assessment criteria contained in R11.6.2.1(a).

(b) Storage Areas

- i. The extent to which outdoor storage areas are sited and designed so that the visual amenity and the quality of streetscape in public or residential areas is maintained.
- ii. The extent to which outdoor storage areas are sited and designed to allow for the unfettered operation of access, parking, loading and maneuvering areas for vehicles.

Explanation

The Outer Business Zone shares an extensive interface with the Residential Zone. Because the range of activities and the form of development within the Outer Business Zone is so diverse variations to the way outdoor storage areas are provided may be considered. However, it is critical that the visual amenity and the quality of streetscape in nearby residential areas is maintained.

(c) Loading and Access

- i. The extent to which the standards for loading and access can be varied without endangering public safety and affecting the safe and efficient operation of the road network.
- ii. Whether suitable alternative provision for loading or access can be made.
- iii. Whether proposed activities will generate a demand for loading facilities.
- iv. The extent to which the topography, size or shape of the site, the location of any natural or built structures on the site or other requirements, such as easements, rights-of-way or restrictive covenants, impose constraints which make compliance impracticable.

Explanation

The loading and access provisions promote efficient, convenient and safe access throughout the city's business zones. Appropriate on-site loading spaces, manoeuvre areas and access points are essential to ensure that activities can operate within the Zone with the minimum of disturbance to the operation of the road. Particular developments, however, may justify variations from loading and access provisions subject to consideration through the consent process.

(d) Vehicle and Cycle Parking

- i. The extent to which failure to provide the required number of on-site carparks will result in adverse effects on the safe and efficient operation of the road network.

Whether the deficiency of on-site carparks will cause adverse effects on:

- ii. Visual amenity
- iii. Streetscape
- iv. Pedestrian and cyclist safety
- v. The extent to which it can be demonstrated that the total parking demand generated by the proposed development is less than the number of spaces required.
- vi. The extent to which the hours of operation relative to other uses on the site or on adjoining sites provide opportunities for shared carparking.

The extent to which appropriate off-site carparking is available in the locality and is readily

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accessible by being:

- vii. Within easy walking distance.
- viii. Does not require people to cross arterial roads to gain access to the activity. Parking may be provided on an alternative site, taking into account the following:

Parking may be provided on an alternative site, taking into account the following:

- ix. The extent to which the distance between the alternative parking site and the development is appropriate to the activity or service provided and whether it requires crossing of an arterial road.
- x. The extent to which the alternative site can be clearly associated or identified with the activity.
- xi. The extent to which joint parking is acceptable, particularly where hours of operation for activities are different.
- xii. The desirability of avoiding vehicular access to the subject site on traffic or pedestrian safety grounds.

and provided that a legal agreement binds the alternative parking site to the development.

- xiii. The extent to which the parking is associated with pickup or drop off activities.
- xiv. The extent to which the effects of not providing on-site parking are cumulative in conjunction with inadequate parking provision by other developments on the site or in the vicinity.
- xv. The reduction in car parking in the Outer Business Zone area identified in Figure 11.2 does not enable the establishment of additional retail trading area that may potentially create adverse retail distributional effects on the Inner Business Zone.
- xvi. The extent to which opportunities for people to use active and non-vehicular modes of transport are provided

Explanation

The provision of adequate parking, loading and access facilities are essential to the efficient and effective function of both the business activities in the Outer Business Zone and the road, particularly given much of the Outer Business Zone fronts arterial roads and the vehicle orientated nature of activities within the Zone. The ability of roads to carry traffic efficiently and safely depends to a large extent on the provision of vehicle parking, loading, manoeuvring, and particularly the access to and from properties. This becomes increasingly important as traffic volumes increase both on the road and for any activity. Sites that are developed near major intersections, particularly those with queued traffic, will need to consider the effects of traffic generated on the surrounding road network and all road users. Parking and loading space need to be provided in a manner that will minimise conflict with road users (including pedestrians), minimise detracting of neighbourhood amenity values, and be convenient for residents, staff and other users of the site. Spill-over parking from Outer Business Zone activities and the city centre into residential areas cause effects on safety, accessibility to properties and amenity of residential areas.

(e) Car Park Landscape Design

- i. The extent to which the parking area is visually unobtrusive, integrated with good quality building and landscape design, and does not compromise the coherence and quality of adjacent spaces, nor the experience for pedestrians.
- ii. The extent to which planting within the parking area is designed and distributed to reduce the open expanse of asphalt and the apparent scale of the car park and improve the amenity for users and viewers of the car park.

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- iii. The extent to which the layout and landscaping of on-site car parking establishes conditions of visual interest, amenity and safety within the development and its margins.

Explanation

Given the vehicle orientated nature of activities in the Outer Business Zone, it is natural that car parking is a major feature of the Zone. Car parks can be quite extensive and barren given the expanse of unbroken seal. The amenity of the car park and the wider streetscape is enhanced when planting is incorporated into the layout, particularly the inclusion of trees. Planting should break up the expanse of seal, provide shade, and introduce an element that is taller than the car, thereby reducing the dominance of the vehicle. Tree planting should form a significant part within the car park, as it is trees that have the greatest effect in reducing the scale of extensively sealed parking areas.

(f) Servicing and Loading Hours

- i. The extent to which the adverse effects of noise and general disturbance created by the activity on any adjoining or adjacent land in the residential zone can be effectively mitigated.
- ii. The extent to which the disturbance to properties in the residential zone from the movement of vehicles to and from the site and within the site itself can be effectively mitigated.
- iii. The extent to which the limit on operating hours ensures that any disturbance to properties in the residential zone can be effectively mitigated.

R11.9.3.2 The Construction, External Alteration or Addition to a Building which does not comply with the Performance Standards for Permitted Activities

The construction, external alteration or addition to a building which does not comply with the Performance Standards for Permitted Activities (in R11.9.1.2) in relation to:

- (a) Maximum floor area and maximum building height
- (b) Height of any building which adjoins a site in a residential zone and separation distance
- (c) Maximum building height adjoining or fronting a scheduled building
- (d) Building frontages
- (e) Pedestrian cover
- (f) Ground level parking
- (g) Landscape amenity
- (h) Loading and access
- (i) Vehicle and Cycle parking
- (j) Car park landscaping
- (k) Veranda and landscaping in the Outer Business Amenity and Character Areas

are Restricted Discretionary Activities with regard to:

- External design and appearance
- Building mass and height
- Relation to streets and other public spaces
- Scale relation to existing smaller neighbours
- Site layout

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- Parking areas
- Landscape amenity
- Pedestrian cover and linkages
- Effects on residential amenity
- Safety and security
- The safe and efficient operation of the road network.
- Providing opportunities for people to use active and non-vehicular modes of transport.

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 Overarching Business Zone and Outer Business Zone objectives and policies, assess any application in terms of the following assessment criteria:

NOTE TO PLAN USERS

Where a proposal falls under R11.9.3.2(a), Maximum Floor Area and Building Height, then as well as assessing the non-compliance against R11.9.3.2(a), the Council will also assess any application under the remaining relevant assessment criteria in R11.9.3.2(b) to (k). Where a proposal falls under R11.9.3.2(b) to (k), only the assessment criteria triggered by the specific non-compliance will be assessed.

Assessment Criteria

a. Maximum Floor Area and Building Height

Building mass and height

- The extent to which the building relates to the character of its setting and avoids visual dominance.
- The extent to which new large buildings retain reasonable visual privacy and daylighting for adjacent Outer Business Zone residential accommodation.
- The extent to which the roofs of large floor plate low-rise buildings that are viewed from elevated sites or otherwise prominent view relate to the scale of buildings around the site and create visual interest.
- The extent to which plant and services (e.g. air conditioning and rubbish storage) and their enclosure is integrated into the building design, screened from public view or otherwise treated to enhance the appearance of the building.

Explanation

Movements on Outer Business Zone land which occur outside the specified hours have the potential to cause considerable disturbance to adjoining residential areas. Where the operational requirements of an activity require late night or early morning services, a careful assessment must be made to ensure any adverse effects can be mitigated.

Explanation

Developments that are prominent due to their conspicuously large size or height have the potential to create commensurately large effects. While these developments are important for the economic viability and vitality of the City, it is equally important that they contribute to the environmental quality of the City's urban area. In all cases, the Council expects buildings to face the street edge and to positively contribute to the visual character and amenity of the surrounding area. Design techniques to avoid buildings visually dominating their surroundings may include breaking down the scale elements of the façade with modulation of form and variation of surface treatment.

Risk to light and amenity can occur with intensive development. The amenity of residential activity becomes increasingly important. This includes consideration of daylight access to dwellings, overlooking, privacy and outlook, all of which are impacted by the mass and height of buildings. Regardless of their height, the roofs of large floor plate buildings can have significant visual impacts – especially when seen from elevated sites around the City. Modulation techniques may include visual subdivision of large roof planes; sculptural roof forms; and expression of structure or secondary form, such as service rooms and towers. With good planning and design, large buildings do not need to compromise their setting, and can instead be an asset.

Scale in relation to smaller neighbours

- v. The extent to which large buildings are complemented by small scale and narrow frontages to achieve diversity and contribute to a fine-grained, active street edge where this is appropriate.
- vi. The extent to which intermediate and transitional modelling of building form to achieve common alignments or modules are used to achieve positive scale relationship with smaller neighbours.

Pedestrian Linkages

- vii. The extent to which direct and safe public through-site pedestrian links are provided on very large blocks, where these provide a useful link between known or predicted destinations.

b. Height of any Building which Adjoins a Site in a Residential Zone and Separation Distance

- i. The extent to which the building form adjoining sites in a residential zone relates to the dimensions, spacing and setbacks of the residential building forms typical of that neighbourhood.
- ii. The extent to which, where a development adjoins or faces residential zones, or creates the entrance to a residential street, large blank walls are avoided or appropriately screened.
- iii. The extent to which sunlight and daylight is maintained over neighbouring dwellings and important outdoor areas related to these.
- iv. Whether effects associated with overlooking lead to an actual or perceived loss of privacy for outdoor areas or dwellings of adjoining sites.
- v. Whether the topography of the site or surrounding land or the nature of the building development and planting on that land is such that the amenity of adjoining residential sites will be protected.
- vi. Whether the reduction in boundary separation distance can contribute positively to scale reduction and the appearance of the development on the Outer Business Zone site.
- vii. The extent to which landscaping within the boundary setback is necessary to maintain residential amenity or to reduce the visual impact of building.
- viii. The extent to which modulation of building form helps to achieve a scale transition to immediately adjacent residential buildings.
- ix. The quality and extent of landscaping in the setback.
- x. The extent to which eliminating the setback will lead to enhanced visual and acoustic privacy for residents.

Explanation

In dealing with the issue of height of commercial buildings at the Residential Zone interface, there are a number of associated effects. The major effects which arise from the height of commercial buildings on sites which adjoin residential properties are:

- i. *Effects on the penetration of sunlight and daylight to the neighbouring residential sites and buildings.*
- ii. *Effects associated with overlooking which may lead to actual or perceived loss of privacy for outdoor areas or dwellings on adjoining sites.*
- iii. *Effects arising from the physical bulk of a commercial building may lead to a loss of residential amenity and character due to dominance of scale that the commercial building imposes on a neighbouring residential site.*

Possible building forms and sites near residential areas can be diverse and some developments may be appropriate which do not comply fully with the standards for Permitted Activities. The Council acknowledges that there may be instances where additional height is necessary or where it may be acceptable to build within the setback, but its intent is to protect adjoining residential areas from adverse effects that might be generated.

c. Maximum Building Height Adjoining a Scheduled Building

The assessment criteria contained in R11.6.2.2(b).

d. Building Frontages

- i. The extent to which the composition, modelling of building form and the detail of building facades creates visual interest and achieves aesthetic coherence when viewed from the street.
- ii. The extent to which the building maintains the alignments of neighbouring buildings along the street edge, and the amenity of the adjacent street.
- iii. The extent to which the potential adverse effects of blank walls at the street edge and/or conspicuously large high-level blank walls that are in prominent view from streets and other public spaces are avoided or screened.
- iv. The extent to which visual and physical connections are maintained between building interiors and adjoining streets and other public spaces to a degree appropriate to the location.

Building Setbacks

- v. The extent to which a setback or contrasting alignment is justified by the building having a recognised public function, including community, cultural, civic, education or recreational activity, and the landscaping of such setbacks contributes to the quality of the public environment.
- vi. The effects of not building to the street frontage on the pattern of adjacent activities and the continuity of the street frontage.
- vii. Whether the building setback from the street frontage creates positive open spaces with a high usability and aesthetic quality, and which contribute positively to the public space system of the city.
- viii. The extent to which a setback of the building entrance avoids creating spaces which might provide for concealment.
- ix. The extent to which mature street trees in the public realm compensate for building setbacks by providing spatial definition.

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- x. For large format and or vehicle orientated activities, the extent to which the surrounding environment is characterised by patterns of stand-alone buildings that are set back from the street edge.
- xi. For large format and or vehicle orientated activities, the extent to which any set back maintains the general pattern and coherence of street edge definition and creates positive open space that contributes to the wider system of public space.
- xii. For large format and or vehicle orientated activities, the extent to which any building set back from a street edge enhances the appearance of the site from the road and defines the street boundary with high quality landscaping.
- xiii. Where street edge setbacks are necessary for drive-through or vehicle orientated activities, care should be taken with associated building design and landscaping to ensure the setback area is seen and experienced as positive open space.
- xiv. For large format and or vehicle orientated activities, the extent to which buildings set back from the street provide active edges fronting towards the street.
- xv. For large format and or vehicle orientated activities where buildings are set back from the street edge, the extent to which pedestrian only or pedestrian priority areas are provided with kerbs or raised pedestrian facilities or material differentiation.

Explanation

The Council wishes to ensure that new building development relates positively to the street edge and creates an attractive interface where the public and private realms meet. In particular, development should maintain visual and physical connections to the street by providing frontages that include entrances and openings facing the edge of streets. This is particularly important on Arterial Roads, including buildings with frontage to those parts of Fitzherbert Avenue, Main Street, Rangitikei Street and Broadway Avenue that are not categorised as an Arterial Road. The Council requires development to articulate or eliminate wall surfaces that are featureless or plain. Large blank surfaces should not occur at ground level at the street edge as these lack interest and activity, compromising the experience of the adjacent space. A flat wall surface might constitute a small proportion of ground floor facades, but only if the quality of the street edge is not compromised as a result. While a building may have primary frontage, other visible facades should include detail and openings and be treated similarly as frontages – albeit secondary ones.

Development needs to be provided for in a way that offers flexibility and recognises the operating characteristics of large format and vehicle orientated activities while ensuring a high level of visual amenity is achieved, particularly on Arterial Roads that function as main entrances to the City. The requirement to build to the front boundary for sites with frontage to Arterial Roads recognises the importance of maintaining the existing street edge alignment. Departure from this core principle is a matter of discretion.

e. Pedestrian Cover

- i. Whether suitable alternative provision for pedestrian cover at the building entrance from the street can be made.
- ii. The extent to which the development maintains or enhances the quality of the environment for pedestrians at the street edge.

Explanation

Shelter for pedestrians is an important amenity consideration. It is important to provide the shelter necessary at the building entrance for pedestrians. Cover at the building entrance is important for way finding and legibility because it signals the location of the entrance to the building.

f. Ground Level Parking

- i. The extent to which parking is visually unobtrusive, integrated with good quality building and landscape design, and does not compromise the coherence and

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quality of adjacent spaces, nor the experience for pedestrians.

- ii. The extent to which on-site landscaping is used to create a high quality street edge.
- iii. Whether the accepted or desirable function of the street requires parking at the street edge.

Explanation

In certain situations, ground level parking at the street edge is anticipated within the Outer Business Zone. There are existing vehicle orientated small businesses within the Zone which currently have car parking at or near the street edge. This may be acceptable where it does not compromise an adjoining development built to the street edge, and where high quality landscaping, both hard and soft, is used to create an appropriately high level of amenity.

g. Landscape Amenity

- i. The extent to which on-site landscaping establishes an attractive appearance and complements public landscaping at or near the street edge and establishes conditions of safety, visual interest and amenity within the development.
- ii. The extent to which alternative provision of on-site amenity and landscaping maintains and enhances the amenity of the wider streetscape and residential areas.
- iii. The extent to which growing conditions are provided for that will ensure the successful establishment, growth and on-going viability of planting.

Explanation

The specified approach to landscaping provision will not be practical in every instance. However, it is critical that alternative responses to landscaping provision positively contribute to on-site and wider streetscape amenity. The maintenance of landscaping, especially in the first twelve months, is critical to its actual success. Factors such as irrigation, wind protection and the growing medium are all critical to the successful establishment of landscaping.

h. Loading and Access

The assessment criteria in R11.9.3.1(c).

i. Vehicle and Cycle Parking

The assessment criteria contained in R11.9.3.1(d).

j. Car Park Landscape Design

The assessment criteria contained in R11.9.3.1(e).

k. Verandas and Landscaping in the Outer Business Amenity and Character Areas

- i. Whether suitable alternative provision for pedestrian cover can be made.
- ii. The extent to which the integrity and aesthetic coherence of the street edge is maintained through maintaining existing patterns of either building to the street edge, or landscaped setbacks.
- iii. The extent to which landscape planting is able to retain or enhance the character of the street edge through the maintenance of edge continuity.

R11.9.3.3 Any activity or the Construction, External Alteration or Addition to a Building which does not comply with Performance Standards for Controlled Activities, excluding non-compliance with performance standard (c) – Gross Floor Area, is a Restricted Discretionary Activity in regard to:

- Design and appearance
- The safe and efficient operation of the road network
- Effects on residential amenity
- Visual amenity
- The provision of car parking
- The effects arising from the non-compliance with the performance standards that are not met by the activity

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 Overarching Business Zone and Outer Business Zone objectives and policies, assess any application in terms of the following assessment criteria:

Assessment Criteria

- The assessment criteria contained in R11.9.2.1.
- The assessment criteria contained in R11.9.3.1.

R11.9.3.4 Residential Accommodation is a Restricted Discretionary Activity with regard to:

- Street edge amenity
- Internal amenity
- Private open space
- Storage
- Visual and acoustic privacy

Performance Standards

Residential Activities under R11.9.3.4 must comply with the following performance standards:

- a. The minimum gross floor area for Residential Accommodation must be 35m².
- b. Compliance with Noise Insulation and Ventilation Rules 11.9.7.1(b), (c) and (d).
- c. Compliance with R11.9.1.2(a) to (k), Construction, External Alteration or Addition to Buildings.

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 Overarching Business Zone and Outer Business Zone objectives and policies, assess any application in terms of the assessment criteria listed in R11.6.2.4.

Explanation

The intention is to encourage diverse uses including good quality residential accommodation in both the Inner and Outer Business Zones. Good quality, liveable accommodation near the city centre helps make business zones attractive places to live, and in doing so offers housing choice and contributes to 24 hour occupation of the city centre.

11.9.4 RULES: DISCRETIONARY ACTIVITIES

R11.9.4.1 Discretionary Activities

Any activity or the construction, reconstruction or alteration of any building or structure which is not provided for by R11.9.1.1, R11.9.1.2, R11.9.1.3, R11.9.2.1, R11.9.3.1, R11.9.3.2, R11.9.3.3, R11.9.3.4 or R11.9.5.1 is a Discretionary Activity.

R11.9.4.2 Crematoria

Crematoria are Discretionary 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, the Overarching Business Zone objective, and the Outer Business Zone objectives and policies, assess any application in terms of the following assessment criteria:

Assessment Criteria

- i. To avoid, remedy or mitigate the effects of noise, hours of operation and other environmental disturbance on the surrounding communities' amenity.
- ii. To avoid, remedy or mitigate potential or actual effects on cultural and social matters.
- iii. To avoid, remedy or mitigate the effects of the generation of additional traffic on the safe and efficient operation of the roading network and through appropriate provision of efficient and effective parking and access.
- iv. To avoid, remedy or mitigate the potential effects associated with the design and appearance of any building or structure in relation to the amenity for the surrounding community.

Explanation

Crematoria have a range of potential effects that could adversely affect the amenity qualities of sites both within as well as adjoining the Outer Business Zone. Any application will need to demonstrate that it can satisfy the requirements of the Resource Management Act 1991.

R11.9.4.3 Maximum Number of Retail Activities below 300m² of Merchandising Area.

Retail Activity that does not comply with the Permitted Activity Performance Standard relating to the Maximum Number of Retail Activities below 300m² of Merchandising Area, but which complies with the Performance Standards below, is a Discretionary Activity:

Performance Standards

- a. Any retail development on a site must not contain more than two retail premises that each have a Merchandising Area below 300m²; and
- b. The number of retail premises below 300m² of Merchandising Area is accompanied by an equal or greater number of retail premises with 300m² of Merchandising Area or more for use by retailers; and
- c. The average size of the Merchandising Area of retail premises to which this standard applies must be no less than 300m² of Merchandising Area.

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 Overarching Business Zone and Outer Business Zone objectives and policies, assess any application against the following assessment criteria:

Assessment Criteria

- i. The extent to which the proposed activity, in conjunction with other established or consented activities within 150 metres of the edge of the site of the activity (irrespective of zoning) could encourage the establishment of a significant node of retail shops, in a pedestrian-style environment.

Explanation

The purpose of the discretionary rule is to reinforce the intention that the Outer Business Zone should not attract any significant node of retail shops in a pedestrian-style environment akin to the Inner Business Zone.

The business zone hierarchy seeks to maintain the retail primacy of the Inner Business Zone and reinforce its role as an important focal point for the community. This approach recognises that a significant amount of community and public sector infrastructure has been invested in the Inner Business Zone. Ensuring an integrated approach is taken to managing retail activity is a critical element in achieving the efficient use and continued viability of physical resources within the city centre.

11.9.5 RULES: NON-COMPLYING ACTIVITIES

R11.9.5.1 Non-Complying Activities

Offensive Activities are Non-Complying Activities

Explanation

Offensive Activities have a range of potential effects that could adversely affect the amenity qualities of the Outer Business Zone. The application of Non-Complying Activity status to these activities will ensure that any Offensive Activity has to demonstrate that it can satisfy the requirements of Sections 104 and 105 of the Resource Management Act 1991 prior to any approval being granted.

R11.9.5.2 Maximum Number of Retail Activities below 300m² of Merchandising Area

Retail Activities that do not comply with the Permitted or Discretionary rules relating to the maximum number of retail activities having below 300m² of Merchandising Area are Non-Complying Activities.

Explanation

The establishment of a pedestrian-style retail node in the Outer Business Zone which is similar in nature and scale to that of the Inner Business Zone could lead to adverse distributional effects on the function and amenity of the city centre. Adverse cumulative effects may only become apparent in the long term and be largely irreversible once the effects have taken place. In this regard, the specific maximum number and merchandising controls for retail activity are necessary to avoid adverse distributional effects (including cumulative effects) on the vibrancy and vitality of the Inner Business Zone.

11.9.6 RULES: NOTIFICATION

R11.9.6.1 Notification

- i. The following activity addressed in this section must not be publicly notified:
R11.9.3.2 and R11.9.3.4.
- ii. The following activity addressed in this section must not be limited notified:
R11.9.3.2 and R11.9.3.4.

11.9.7 RULES: NOISE

R11.9.7.1 Noise

(a) Noise

- i. Noise from any activity within the Outer Business Zone must not exceed the following limits at any point within any other site within the Inner and Outer Business Zones:

At any time 65 dB $L_{Aeq(15mins)}$

Daily 11:00pm to 7:00am the following day 90dBA L_{max}

Noise from any activity must not exceed the limits as set out in Inner Business Zone R11.6.6.1 (a) (iii) at any point within any site zoned for residential purposes.

- ii. Where it is impracticable to measure outside a building, the noise from any activity within the Outer Business Zone must not exceed the following limits as set out in Inner Business Zone R11.6.6.1 (a) (iv), inside any residential units in any building on any other site within the Inner and Outer Business Zones.

This must not allow any relaxation in the noise limits of R11.9.7.1 (a) (i).

Explanation

The noise rules within the Outer Business Zone are designed to allow activities to make moderate noise while still providing a reasonable level of control to residential activities in the area. Where noise sensitive uses (including residential activities) are proposed for the Outer Business Zone it is the responsibility of the designer, developer, owner and user to ensure that buildings are appropriately insulated against higher levels of noise that are allowed. Residents in the Outer Business Zone must accept that some adverse noise impacts will be experienced from time to time. In this regard, it is important that residential development in the Outer Business Zone does not compromise the effective development and operation of business activities.

(b) Noise Insulation

Any habitable room in a building used by a noise sensitive activity within the Outer Business Zone must be protected from noise arising from outside the building by ensuring the external sound insulation level* achieves the following minimum performance standard:

$$D_{nT,w} + C_{tr} > 30 \text{ dB}$$

Compliance with this performance standard must be achieved by ensuring habitable rooms are designed and constructed in a manner that accords with an acoustic design certificate signed by a suitably qualified acoustic engineer stating the design as proposed will achieve compliance with the above performance standard.

Explanation

Acoustic insulation is required for noise sensitive activities in buildings within the Outer Business Zone to mitigate the potential adverse effects on such uses and to lessen the potential for constraint that such uses can place on typical business or commercial activities commonly associated with the zone.

(c) Ventilation

Compliance with R11.6.6.1 (c).

(d) Fixed Plant

Compliance with R11.6.6.1 (e).

Appendix I North West Square Heritage Area and Map

Area Description

The heritage area comprises:

- The north side of Cuba Street between Campbell Street and Rangitikei Street;
- The south side of Cuba Street between George and Rangitikei Streets;
- Buildings on both sides of George Street;
- Buildings on both sides of Coleman Place;
- Buildings on the northern side of Main Street; and
- A number of buildings on the north west corner of The Square.

The area has high historical values being part of the early development of the city. It is associated with an important period of growth of the city and with the buildings' owners, occupants, architects and builders of this time. The area has a high level of consistency of age of construction, with most buildings having been built in the twentieth century before the Second World War.

The area has significant design values with a very high level of consistency of design style and detailing based on various forms of neo-Classicism. Most buildings are two stories high, six are single storied, two are three storied, and one is four storied. All are commercial buildings and have a consistency of façade design, materials, symmetry and relationship with the street. All have glazed shop front windows on the ground floor and discrete windows on the upper floors.

Many of the buildings have a high level of authenticity of above veranda façade with a number having a high level of authenticity of shopfront.

Heritage Values

(a) Cultural values

Design values

The former CM Ross buildings in The Square, and Coleman Place are three and four storeys high, whereas all other buildings are either one or two storeys high.

Most buildings are built to the street boundary, creating a street wall defining the street and extend back to the rear boundary in varying dimensions. The exception to this is the former Hallenstein's building and the former plastics shop where both buildings project into the street space.

Proportions within the facade are generally similar whereby the facade is divided between ground floor glazing, a band of upper floor windows and high parapets with prominent cornice. While the height of the windows and their general proportion vary, the consistent high cornice and parapet gives general homogeneity in form of building. Regular and large areas of glazing as a proportion of the upper floor street elevation generally give a horizontal emphasis to the group when viewed as a whole, while individually this may not be the case. Italianate buildings generally have a small surface area of upper floor windows.

There is similarity between all buildings in the large proportion of glazing on the ground floor. Traditionally the shop front had a solid base of approximately 300 to 400 millimetres in height with the remainder of the window divided with a transom glazing bar a third of the height of the window from the top. This transom could then be further divided, emphasising the large open area of glass to the shopfront.

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All buildings have verandas of similar height; however, the height of the veranda front varied with style of building and area of signage.

The parapet form largely determines the silhouettes of the buildings. Most parapets are simple horizontal forms with several stepped and a very few original ornate pediments which still exist.

The style of many buildings is a form of Neo-Classical architecture. Most are simplified Italianate, Stripped Classical, Chicagoesque, or Neo-Georgian. Each of these styles has many similarities in terms of proportions of facade and facade elements, details, and surface treatment.

Design issues of symmetry, verticality or horizontality, details and decoration are largely determined by the style. The buildings are visually divided horizontally by verandas, which are a design element common to all buildings. The proportion of height between the lower and upper sections of the facade varies between one to one and one to one and a half. Much of the decoration has been removed from the buildings, however the strong horizontal emphasis of the parapets remains, and something of the horizontally rectangular facade is visible.

There is little consistency in actual height, however the difference in height from parapet to parapet is generally very little. This gives the street silhouette an attractive stepped top to the street 'wall'.

All buildings have their principal facade facing the street. Secondary facades, however, retain the same design and details.

As can be seen from the description above, there are many elements of commonality within the buildings. These range through architectural design elements of size, scale, mass, proportion, colour, materials, finishes, textures, silhouette, style, symmetry, openings, horizontality, verticality, decoration, and details.

There is also consistency in the relationship of the building to the street, buildings built parallel with the street and to the boundary, and both the major and secondary elevations addressing the street. This location of the buildings reinforces the grid pattern of the city.

The North West Square Heritage Area ranges in streetscape from the openness of the Square, to the varying widths of Coleman Place, the consistent narrow form of George Street and the wide boulevard style of Cuba

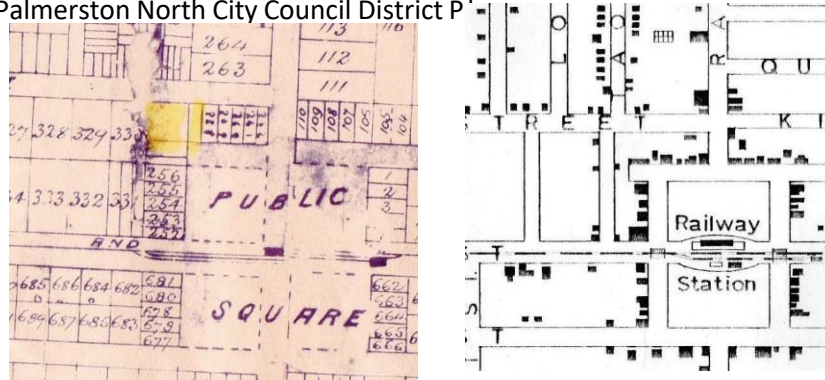
Historic Values

The streets in the North West Square Heritage Area were designed with the first layout of the city. Because the street alignment of the area has not changed since this first plan, the historic layout is retained.

Most of the buildings date from the Inter-War period, when there was considerable expansion in the economy of the city. Several earlier buildings, which date from the turn of century, similarly reflect the growth of the city in this period. One building was constructed post World War II.

Many of the buildings are good representative examples of significant periods of construction and reflect the changing taste in design style and use of materials.

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The yellow spot on the left map (from 1878) marks the Coleman Place corner – then non-existent. The map on the right (from 1881) shows the first stage of Coleman Place

(b) Use Values

The area has use values for the educative potential deriving from its historic and cultural heritage values. The area reflects the early planning history of the CBD while its buildings are good examples of different forms of classically derived architecture in a coherent group. Most of the buildings are currently occupied and have a commercial use, while the former C M Ross building has been awarded for its adaptation to its current use as the City Library.

(c) Contextual Values

Measure of value

The buildings proposed to be included in the area are almost wholly consistent in terms of style and, with the exception of the former C M Ross buildings and 10-15 The Square, are consistent in terms of scale, form, age, range of materials, original use and level of authenticity of the above veranda façade.

Collectively all these buildings form a coherent group in the North West Square area of the city.

Authenticity

Individual buildings are assessed for authenticity, but, given the consistency in Edwardian and Inter-War period of construction with an almost contiguous collection of buildings, the group has a high level of authenticity of setting.

NOTE TO PLAN USERS

An applicant is advised to contact Heritage New Zealand if the presence of an archaeological site is suspected. Work affecting archaeological sites is subject to a consenting process under the Historic Places Act 1993. If any activity associated with this proposal, such as earthworks, fencing or landscaping, may modify, damage or destroy any archaeological site(s), an authority (consent) from Heritage New Zealand must be obtained for the work to proceed lawfully. The Historic Places Act 1993 contains penalties for unauthorised site damage.

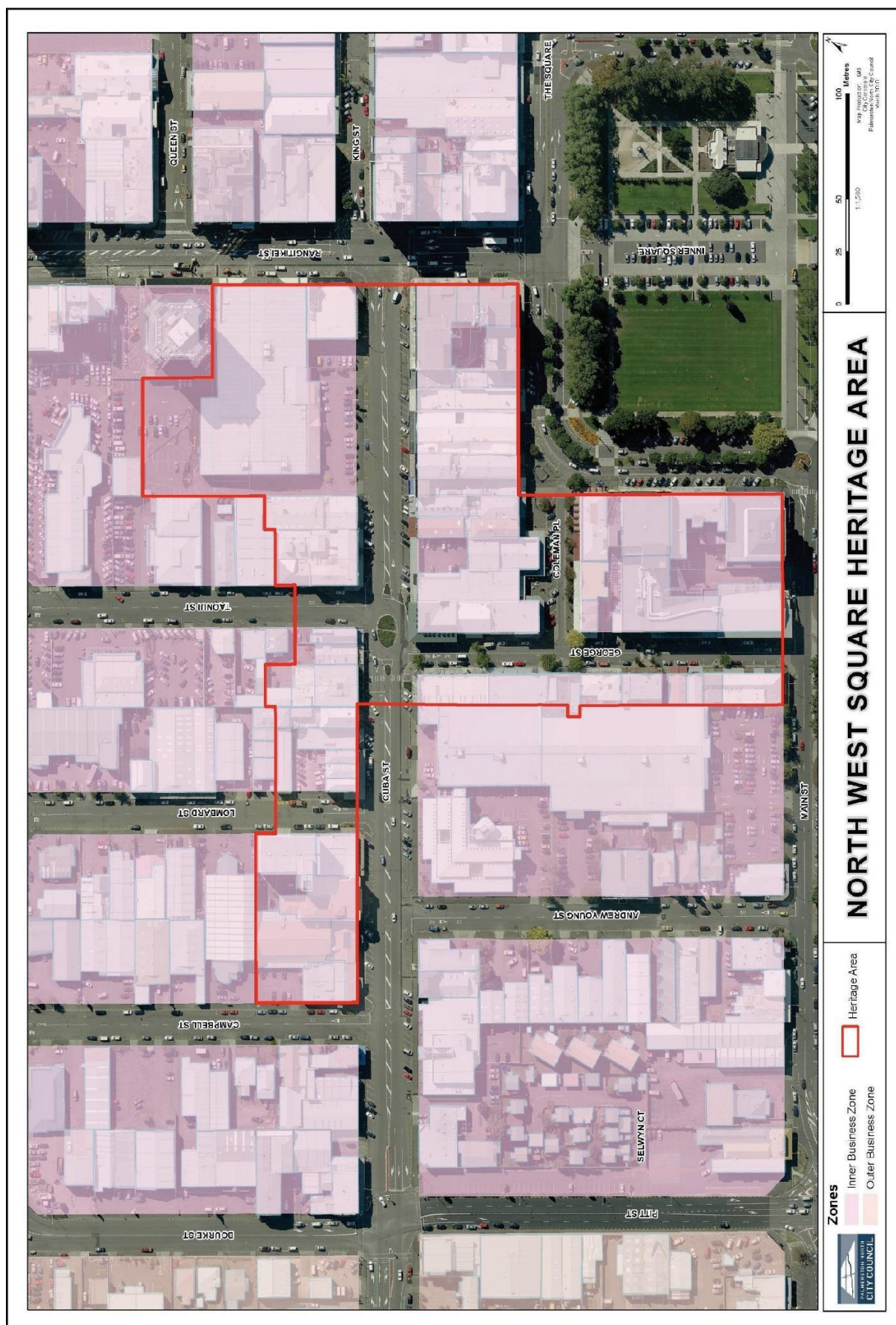


Figure 11.1 Outer Business Amenity and Character Area

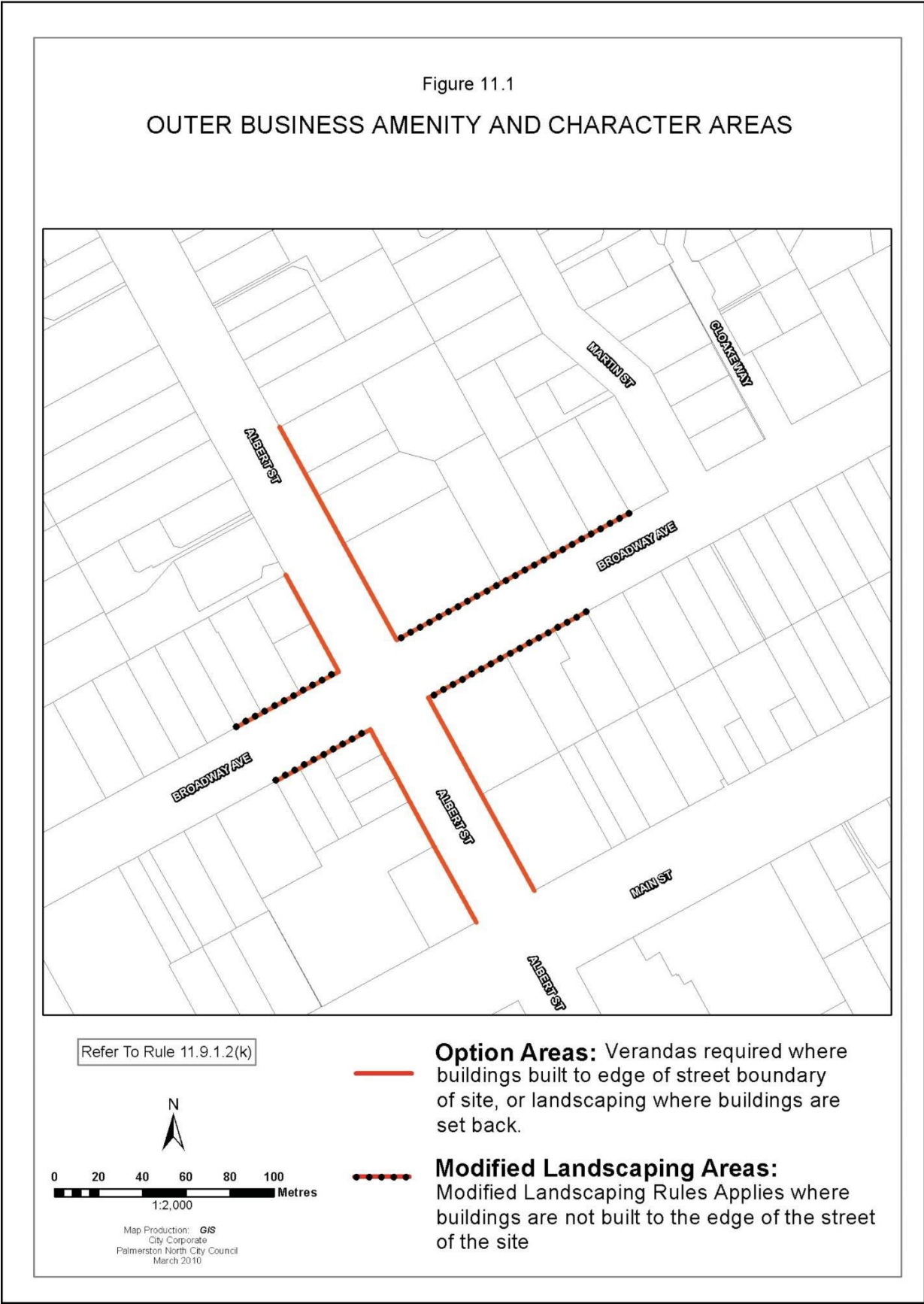


Figure 11.2 Fringe Business Zone Area



Figure 11.3 Indicative Zone Of Mid-Block Pedestrian Linkages

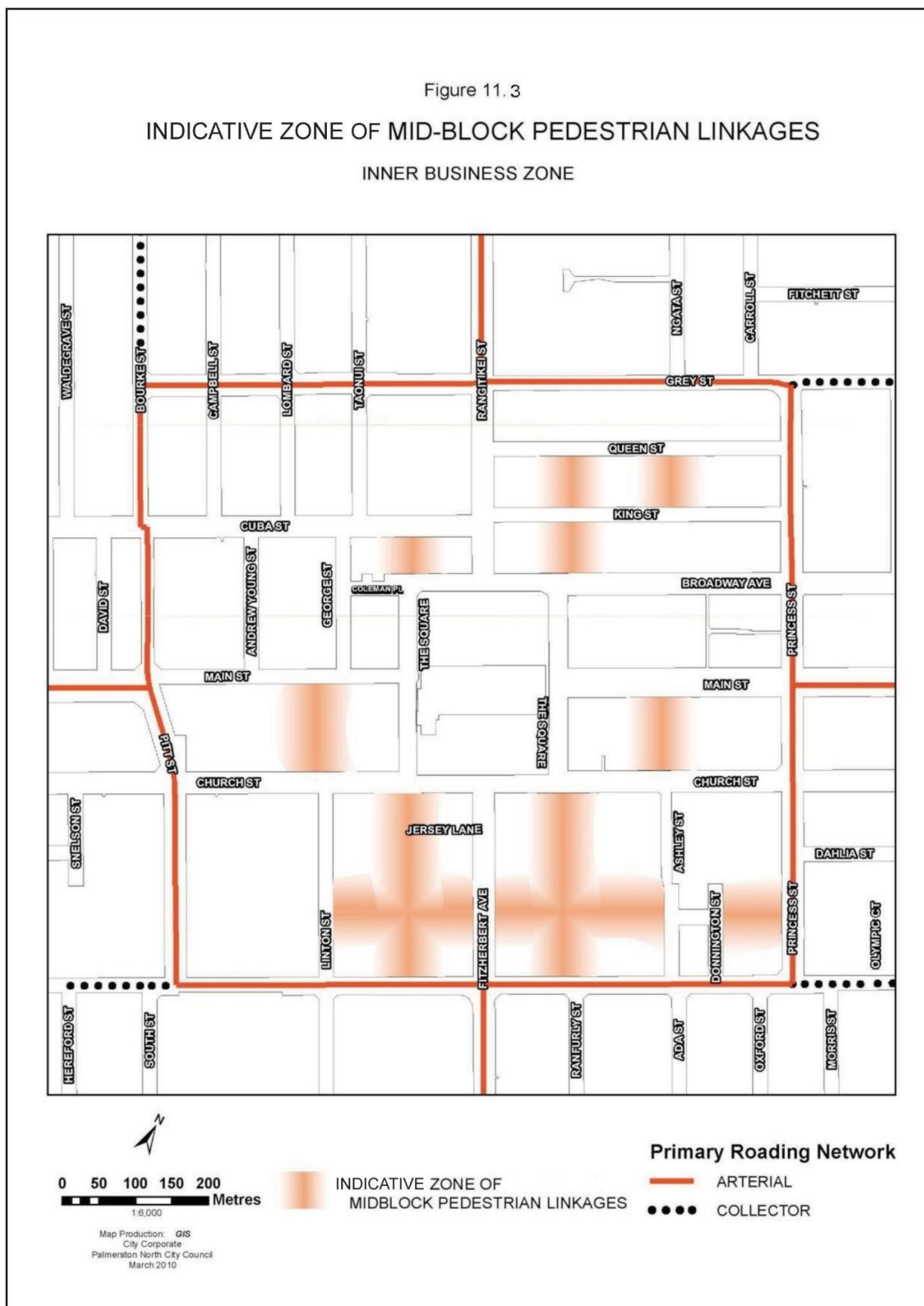
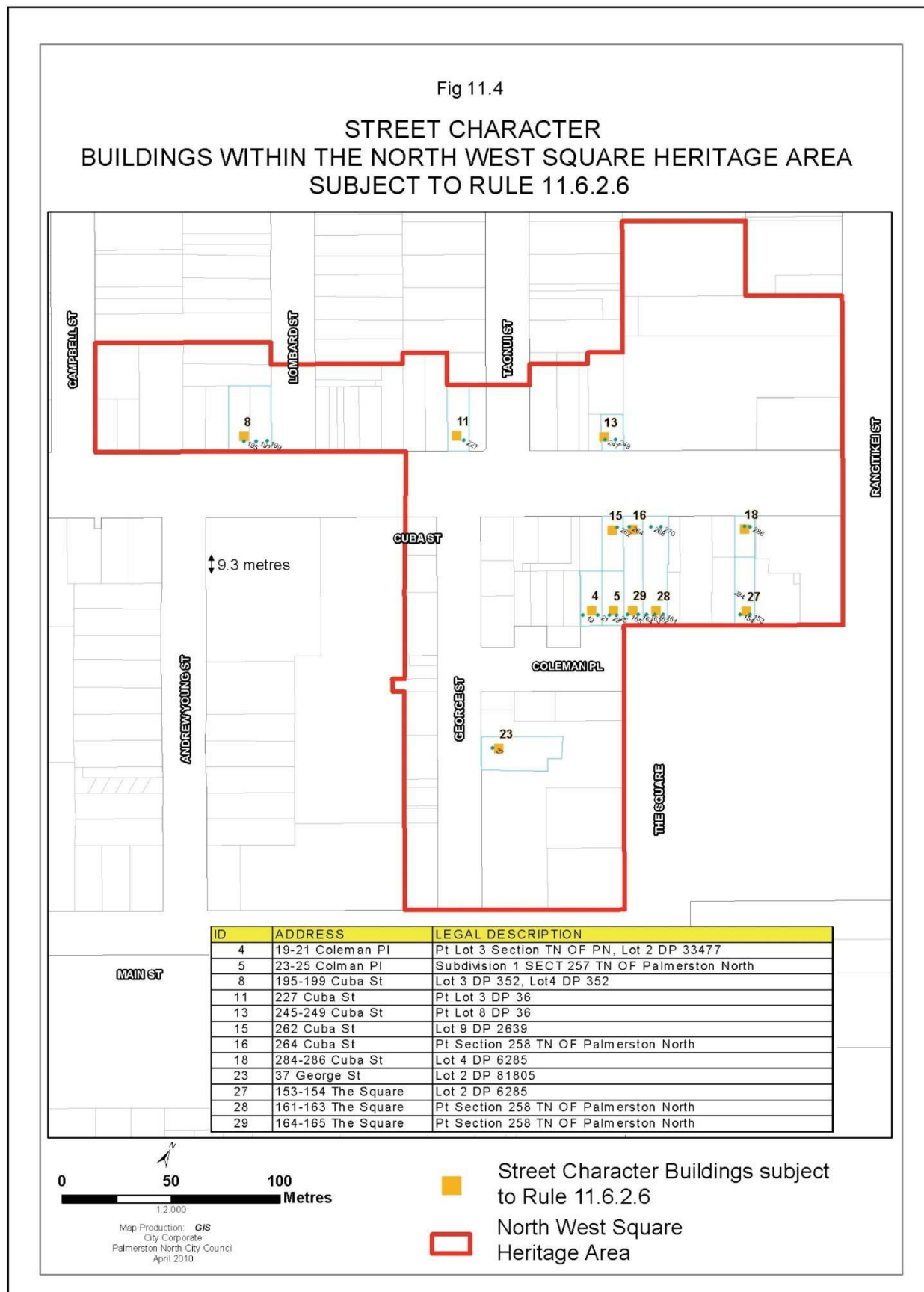


Figure 11.4 Street Character Buildings within Northwest Square Heritage Area

11.10 Local Business Zone

Introduction

The Local Business Zone has a primary purpose of catering to the day-to-day shopping and service needs of its surrounding residential communities. Currently the Local Business Zone covers the Ashhurst business centre and the local business centres dispersed throughout the City's suburban areas; these include shopping centre developments through to local stores. Some of these centres are the result of historical development (e.g. Terrace End), while others have developed more recently to accommodate newer residential areas such as Riverdale, Westbrook and Milson, with the most recent developments being at Aokautere/Summerhill and Kelvin Grove.

The size of the catchment of surrounding residential communities and how they are to be serviced by Local Centres are a driving force behind the intention for the zone. Local catchments are determined in most cases by the amount of households surrounding a local centre radiating out from the centre itself. Supermarket developments can be part of the Local Business Zone and it is recognised that in these instances the local catchment serviced is wider than in a local centre where a supermarket is not present.

Future development in the Local Business Zone will consist of the redevelopment or extension of existing centres and sites and also new Greenfield development, in particular in the areas set aside for future residential growth.

Existing centres have been restricted in terms of their physical area and the size of business activity. This was done in order to ensure that the scale of business activity reflected the local status of the centre and that established residential neighbourhoods were protected from the further encroachment of central business activities. Council considers that this approach to local business area management remains valid and that it should be continued. The new approach of the zone is to enable change of use within existing local business facilities to ensure that these centres can be more responsive to changing needs or demands and ensure uptake is high within the zone.

The City's local business areas have established themselves relative to the size of the surrounding suburban catchment they serve and their location within the catchment. Over time four categories of neighbourhood centre have emerged:

- Large Neighbourhood Centres,
- Small Neighbourhood Centres,
- Local Stores, and
- Variant Business Centres.

To minimise adverse effects arising within the zone, and of local business activities on surrounding uses, performance standards will be maintained and have been further developed to safeguard residential areas from the potential impacts of business activities and/or associated development. New controls have been introduced to ensure good design outcomes are achieved within the Local Business Zone and the amenity and character of the areas they sit within are protected.

11.10.1 OBJECTIVES AND POLICIES

Within the broad framework of the City View objectives in Section 2, the following specific objectives and policies were identified for the Local Business Zone:

OBJECTIVE 1

To enable the efficient use and continued vitality of the Local Business Zone by promoting activity that provides for the day-to-day shopping and service needs of local suburban catchments and the provision of attractive public open space.

POLICIES

- 1.1 To recognise and provide for the different types of Local Business Zone areas as follows:
 - Large Neighbourhood Centres,
 - Small Neighbourhood Centres,
 - Local Stores,
 - Variant Business Centres.
- 1.2 To enable the on-going function of local business activities that are both convenient and provide a community focus for local residents.
- 1.3 To ensure that the activities which locate in the Local Business Zone reinforce the existing characteristics of the zone which include:
 - Activities that service and meet the day-to-day needs of local suburban catchments.
 - Activities that are conveniently located and have good connections to surrounding communities.
 - Activities which do not detract from the function of the Inner, Outer and Fringe Business Zones.
 - A diverse range of activities within local centres.
- 1.4 To promote a high quality pedestrian-orientated but vehicle accessible environment that maintains the compactness, convenience and vibrancy of the Local Business Zones.
- 1.5 To achieve a comprehensively planned and coordinated system of connections and other public open spaces that provide for safe and convenient access by a range of modes.
- 1.6 To ensure that public spaces (including privately owned spaces that are categorised by patterns of public use) are safe and attractive.
- 1.7 To require that any residential activity within the Local Business Zone be above ground floor level.
- 1.8 To promote the ability to change the use of buildings by ensuring regular entry points are provided at the street edge and the provision of ground level stud heights that are sufficient to allow for retrofitting for other uses.
- 1.9 To require as a key aspect of maintaining the continued vitality and economic viability of the Local Business Zone well designed public spaces and buildings which are:
 - Fit for purpose
 - Comfortable

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- Safe
- Attractive
- Accessible
- Durable.

1.10 To ensure a mix of small scale activities are provided in conjunction with developments that include a large scale anchor tenant activity.

Explanation

The Local Business Zone contains four clear categories of use depending on the size of the surrounding suburban catchment they serve. These categories are Large Neighbourhood Centres, Small Neighbourhood Centres, Local Stores, and Variant Business Centres. With the exception of the Large Neighbourhood Centres, Local Business sites are generally quite limited in their area. Most offer a small range of retail services which provide convenient facilities for local residents. In some cases, centres are often complemented by a range of other non-retail activities including small repair services or community facilities such as libraries.

The zone offers local employment opportunities, in locations that can help to reduce work related journeys as employees may also live locally and can encourage the continued use of the often already developed land and building resources. This encouragement to the on-going use of buildings in these zones can help to sustain variety within centres in the Local Business Zone, thereby avoiding some journeys to use shops and other facilities in the City centre.

In the case of Ashhurst, the Large Neighbourhood Centre effectively forms the heart of the community which is enhanced by integration with a range of community facilities such as the Village Valley Centre. The centre is also quite diverse in nature and includes a number of small businesses providing important employment opportunities and convenient services for local residents.

Variant Business Centres represent activities in the city that have established in historical locations and do not fit neatly within any of the City's business zones. As a result, these centres, whilst not servicing a local catchment or playing a convenience retail role, have been absorbed by the Local Business Zone through specific provision for Variant Business Centres. These centres are scattered around the city and do not follow a pattern in their distribution. Such centres include activities that predominantly locate along major arterial roads and are vehicle orientated activities including, but not limited to, service stations, car sales yards and motels.

To date the City has been fortunate to have maintained a strong network of local shopping areas. It is Council's intention that the on-going role of these areas be reinforced and enhanced by widening the range of opportunities available. The Local Business Zone is also often the economic, social and cultural focus of the local neighbourhood, and is important from that perspective. There are linkages between the perceived quality of the environment at a centre, its attractiveness and its commercial success. For that reason, all buildings in the Local Business Zones should contribute to a high quality public environment.

OBJECTIVE 2

Neighbourhood centres in greenfield areas and on redeveloped sites are developed through a process of comprehensive planning, are conveniently located and accessible to the local community and exhibit high amenity values.

POLICIES

- 2.1 To locate and distribute activities of the appropriate type, scale and mix within Greenfield developments to optimise the likelihood of commercial success and vibrancy, and ensure all residents have access to local service activities within a reasonable walking distance.
- 2.2 To achieve planned and coordinated development through a process of comprehensive planning of new neighbourhood centres in Greenfield and redeveloped sites.

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- 2.3 To ensure neighbourhood centres on Greenfield and redeveloped sites provide a community focal point, and a high level of convenience and amenity.
- 2.4 To require large scale activities to be complemented by the provision of a range of activities in small scale tenancies.

Explanation

The appropriate range and scale of activities in any large (or small) neighbourhood centre depends on the area served. Where a centre is provided, its size and location will depend on the wider context – availability of existing facilities and connections to these, as well as the population served.

Any large (or small) neighbourhood centre needs to be located where the activities intended are most likely to be successful. This is moderated by the requirement that the centre must also be at the centre of the neighbourhood it serves. Some parts of a greenfield growth area may be already served by existing adjacent facilities; however, all areas should be provided with local services within reasonable walking distance.

Greenfield development and site redevelopment offers the potential for coordinated and comprehensive planning. This ensures the street and public open space network, form and orientation of buildings are considered together to achieve the best results in each context. For example, comprehensive planning of car parking, both street-side and on-site, can lead to optimal convenience, efficiency and utilisation of parking which will help to keep the centre compact and avoid over-provision.

OBJECTIVE 3

To enable a wide range of business and community activities within the Local Business Zone while avoiding adverse effects.

POLICIES

- 3.1 To provide for a diverse range of activities within the Local Business Zone subject to meeting performance standards.
- 3.2 To provide for a wide range of activities that meet the economic and social needs of the local community while reinforcing the function of the Local Business Zone.
- 3.3 To discourage the establishment of activities which will have an adverse effect on the amenity values associated with the Local Business Zone.
- 3.4 To manage the adverse effects of business activities on each other or on other activities located within the Local Business Zone.
- 3.5 To ensure development provides a safe and convenient pedestrian and vehicular environment.

Explanation

Business activities have the potential to generate effects relating to such matters as noise; parking; location of access/egress points; and loading and storage areas which may impact on the level of amenity enjoyed by activities located within the business zone. To rectify this, appropriate safeguards have been introduced to ensure that any adverse effects are mitigated.

Over time, a number of small business areas have developed their own particular character which contributes to people's appreciation and enjoyment of them. It is important to maintain and enhance how this character contributes to surrounding environments so that such environments can be enjoyed by future generations that choose to locate within them.

To counteract the potential erosion of amenity that might arise as a consequence of allowing a relatively unrestricted range of activities to establish in the business zone, activities which are offensive or large in nature will be restricted.

OBJECTIVE 4

The amenity values of neighbouring residential and recreation areas are protected.

POLICIES

- 4.1 To avoid, remedy or mitigate the adverse environmental effects which may arise from activities within the Local Business Zone on the amenity values of activities at the interface with the zone.
- 4.2 To minimise the effects of building development or redevelopment on residential areas by avoiding:
 - Excessive building scale
 - Overshadowing
 - Inappropriate building bulk
 - Invasion of privacy
 - Loss of access to daylight.
- 4.3 To manage the adverse environmental effects of business activities on the following attributes of residential amenity:
 - Visual amenity, including human scale and visual interest.
 - Streetscape quality
 - Acoustic environment
 - Pedestrian and cyclist safety
 - Vehicular access and safety.
- 4.4 To promote sensitive landscape or architectural design at the interface with adjoining residential areas to manage any adverse visual effects of development.

Explanation

The existing Local Business Zones are in most cases located in the heart of residential areas, where they provide important and convenient local services and facilities. However, there is the potential for activities in the Local Business Zone to cause adverse effects on the surrounding area. It is important that these effects are addressed and as far as possible avoided. The most likely place at which these effects arise is at the residential interfaces where the two quite different activities come into closest contact. Therefore, it is at the interface that the greatest care must be taken.

While in existing Local Business Zones it is usually only possible to ameliorate the effects on the Residential area, where a new zone, or Greenfield area is established care can be taken to ensure that the two activity areas are made as compatible as possible at the outset.

OBJECTIVE 5

The Local Business Zone has a high level of visual amenity, safety and comfort.

POLICIES

- 5.1 To require high quality building design within the Local Business Zone that acknowledges and responds to the context of the site and surrounding environment and contributes positively to the image of the neighbourhood and quality of experience of adjacent streets and other public open spaces.
- 5.2 To mitigate the visual effects of large areas of asphalt by ensuring car parking is visually attractive when viewed from both the public and private realms.

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- 5.3 To ensure the visual effects of development are managed by requiring skilled landscaping and urban design to contribute to the quality and attractiveness of the wider public environment.
- 5.4 To require all development to provide active frontages, including entrances and openings that face any street.
- 5.5 To avoid blank secondary frontages and service areas at the street edge.
- 5.6 To enhance the visual quality and design of ground floor level developments fronting streets, public space and pedestrian thoroughfares, in particular to require, depending on type of Local Business Zone, all buildings to be characterised by active and fine-grained street edge treatments.

Explanation

Each Local Business Zone area contributes to the sense of place of the local neighbourhood around it and, if identified as a centre, can substantially define the identity of the neighbourhood. Good quality environments, including a good mix of activities, attract people and encourage them to stay. Conversely, utilitarian centres tend to be used only for essential activity, and where people have no option.

The visual amenity of buildings and the spaces around and between buildings contributes to their attractiveness and functional amenity. At the immediate local level, large blank walls can be both monotonous and visually overwhelming, compromising neighbouring residential properties and the adjacent street.

The maximum frontage width reflects the existing fine grained frontage and lot widths within the Local Business Zones. Furthermore, active frontages at street edges are positively linked with increased occupation and use. As inactive frontages lack visual appeal and create an uninviting environment for pedestrians at the street edge, wider frontages are subject to a higher level of scrutiny. The existing fine-grained nature of development is a critical component that contributes to the quality and attractiveness of the wider street environment.

OBJECTIVE 6

To provide for an attractive, high amenity, pedestrian focused Neighbourhood Centre that will service the Aokautere Greenfield Residential Area and help to create a sense of place, while being well integrated with the surrounding landscape, roading network, and pedestrian and cycle access.

POLICIES

- 6.1 ~~To provide for local serving retail and commercial business activities and buildings are developed and undertaken in general accordance with the specific locations as identified on the Aokautere Neighbourhood Centre Precinct Plan (Map 7A.43C)¹.~~
- 6.2 ~~To ensure an anchor tenant and a mix of smaller scale activities provide a diverse range of goods and services to the local catchment.²~~
- 6.3 **To require integration of the Aokautere Neighbourhood Centre with the surrounding neighbourhood by providing the roading and transport connections as identified on the Aokautere Structure Plan (Map 7A.4A Street Hierarchy) and the Aokautere Neighbourhood Centre Precinct Plan (Map 7A.4C).³**
- 6.4 ~~To create a high amenity and safe, walkable environment.⁴~~
- 6.5 **To ensure that buildings and tenancies are built entirely to the front boundary to create**

¹ S50.023, S50.025, S51.112, S58.040

² S58.041

³ S50.025

⁴ S58.043

a continuous street frontage that encourages pedestrian activity at ground floor level.

6.6 To restrict all residential activities within the Aokautere Neighbourhood Centre to above ground floor level.⁵

6.7 To ensure that all residential accommodation within the Aokautere Neighbourhood Centre is designed with a high level of amenity.

6.8 To promote commercial street frontages with the following characteristics:

- **Doors and windows provide passive surveillance of, and visual and physical connection to, the street and public spaces.**
- **Narrow storefronts with frequent entries at the street edge.**
- **Primary building access from public footpaths.**

6.9 To require service access to be provided at the rear of the buildings as identified on the Aokautere Neighbourhood Centre Precinct Plan (Map 7A.43C).⁶

6.10 To ensure the design and management of stormwater effectively integrates water sensitive design for management of runoff quality and quantity.⁷

6.11 Ensure that development in the Aokautere Neighbourhood Centre does not proceed until the pPrimary sStormwater eElements which are necessary to service the development are in place.⁸

6.12 Ensure construction of buildings, or earthworks or recontouring to enable the construction of buildings, does not proceed unless a geotechnical investigation has confirmed the appropriateness of the land for development and the recommendations of any technical reports to address land stability, uncontrolled fill and natural hazards including any recommended avoidance or mitigation measures, have been implemented in advance of development.⁹

11.10.2 RULES: PERMITTED ACTIVITIES

R11.10.2.1 Permitted Activities

Any activity is a Permitted Activity except for:

- Those specified as Controlled Activities, Restricted Discretionary Activities or Discretionary Activities
- Offensive Activities, Industrial Activities, Crematoria, ~~and~~ Residential Accommodation at Ground Floor Level **and Residential Activities at Ground Floor Level in the Aokautere Neighbourhood Centre**,¹⁰ which are Non-Complying Activities

Provided that the following Performance Standards are complied with:

Performance Standards

(a) Lighting

- i. Compliance with R11.6.1.1 (a) (i) (ii), (iv), (v) and (vi)
- ii. Car park lighting may be turned off no earlier than 30 minutes after the last activity served by the car park ceases.

(b) Screening

⁵ S58.045, S51.114

⁶ S51.116, S58.048

⁷ S77.002, S60.004

⁸ S77.002, S92.002, S60.004

⁹ S107.004., S21.002

¹⁰ S51.117

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- i. A solid close-boarded fence or wall of not less than 1.8m in height shall be erected on any boundary that adjoins a residential or recreational zone site;
- ii. Any area used for the outdoor storage of products, goods, materials or waste shall be screened along any boundary fronting or adjoining a residential or recreation zone property or the road by a close-boarded fence or wall of not less than 1.8m in height; this shall also be applied to gating across a vehicle access point.

(c) Signs

- i. Compliance with R6.1.5.
- ii. **No signs shall be located above the veranda fascia level of a building (see Figure 11.5) with only one fascia sign per tenancy within the Aokautere Neighbourhood Centre.**¹¹

[Insert revised Figure 11.5]

(d) Hazardous Facilities

Compliance with the provisions of Section 14 Hazardous Substances.

(e) Size of Function

No single business activity within an existing building shall exceed 300m² gross floor area.

(f) Residential Accommodation (excluding additions and alterations to existing dwellings).

- i. No residential accommodation shall be located at the ground floor level.
- ii. Residential accommodation shall not be the dominant activity on the site.
- iii. Non-habitable accessory buildings that are ancillary to residential accommodation are permitted at the rear of the building and shall not exceed 10m².

~~(g) Residential Activities in the Aokautere Neighbourhood Centre (Map 7A.43C):~~

- ~~i. **No residential activities shall be located at the ground floor level**~~
- ~~ii. **Residential activities shall not be the dominant activity on the site.**~~¹²

Explanation

A specific performance standard for residential accommodation has been included to allow for the mixed use of land zoned Local Business within the City. The intention of the performance condition is to recognise the need to provide for on-site accommodation at a scale which will not compromise the primary intent of the Local Business Zone to provide a convenient service to, or employment for, the surrounding community. Residential accommodation above the ground floor level also contributes a sense of visual presence and scale to a centre, natural surveillance and visual interest after dark whilst remaining in keeping with the surrounding residential areas.

(h) ~~(g)~~Parking, Loading 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 Provisions and Design.

(i) ~~(h)~~Servicing and Loading Hours

Compliance with R11.9.1.1(g).

¹¹ S51.118

¹² S51.119, S58.049

Compliance with R11.10.7.1.

Explanation

The intention of the Local Business Zone is to create a situation where a wide variety of activities can establish and provide a convenient service to, or employment for, the surrounding community. There will however be some effects which arise as the result of these activities which could have significant negative impacts on adjoining residential areas.

The rules detailed above are intended to control those adverse effects, e.g. the objectionable overspill of light, while leaving sufficient flexibility to encourage a wide range of activities. The limited area of most Local Business Zones and the necessity for them to still provide convenient local retailing means that it is important that one area is not taken up by a single activity. This has resulted in Council introducing a control over the amount of the area a single activity may take up in the Local Business Zone.

NOTE TO PLAN USER

Also refer to:

R23.6.2(i) – Radiofrequency Field Exposure.

R20.5.2 – Restricted Discretionary Activities – Drive Through Facilities

R11.10.2.2 The Construction, Alteration of, or Addition to Buildings

The construction, alteration of, or addition to buildings and structures is a Permitted Activity except for:

- Those specified as Restricted Discretionary Activities, Discretionary Activities or Non Complying.

Provided that the following Performance Standards are complied with:

Performance Standards

(a) Maximum Floor Area

- The construction of all buildings with a maximum total gross floor area of 50m² are permitted.
- In respect of existing buildings, the permitted size of any external alteration or addition is no more than 50m² or 20% of the existing gross floor area, whichever is smaller.
- ~~In respect of residential activities in the Aokatuere Neighbourhood Centre (Map 7A.3C), a minimum average of 50 dwellings per hectare shall be achieved.¹³~~

¹³ S51.120

Explanation

It is not inherently problematic for buildings to be constructed over this size and they are not to be discouraged. The intention of this rule is to act as a trigger to apply discretionary provisions to a development that exceeds this size. It is anticipated that as the size of a building increases, the potential effects increase, therefore this trigger gives Council the opportunity to apply a higher level of scrutiny and assessment criteria on these developments to ensure good outcomes are achieved that suit the environment they locate within. It also helps to ensure that a diverse range of activities is achieved in the Local Business Zone while avoiding a large activity crowding out a locally focused mix of activities.

(b) Building Height

- i. Any building or structure or part of a building or structure, built on any part of a site which adjoins a residential zone site, must comply with the residential height recession plane contained in R10.6.1.1 (a).
- ii. All other structures must not exceed 9m in height **unless located in the Aokautere Neighbourhood Centre (7A.43C) where structures must not exceed 11m in height, except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1 metre, where the entire roof slopes 15° or more as illustrated in Figure 11.5B below.**¹⁴

See [new Figure 11.5B](#).

- iii iv.** Subject to (ii) above, all structures shall comply with the requirements of R13.4.7.1.

(c) Ground Floor Height

The permitted ground floor height of any building is to be not less than 1.3 times the floor to floor height of upper floors and is to extend the full width of the frontage and back a distance of not less than 12 metres, or the depth of the building, whichever is the lesser.

(d) Separation Distances

- i. Any building on a site which adjoins any part of a residential or recreational zone site will be located at least 3 metres from the common boundary.
- ii. Any building built to the frontage of a Local Business Zone site is also permitted to be built up to the side boundary adjoining a residential zone site for a distance of up to 15 metres back from the frontage.

(e) Building Frontages

- i. Maximum Width:
 - The permitted maximum width of any ground floor level tenancy shall not exceed 7 metres.
- ii. Positioning:
 - a. Within areas identified as Large Neighbourhood Centres, all buildings are to be built to the front boundary of a site along no less than 50% of the street boundary, **except within the Aokautere Neighbourhood Centre (Map 7A.4C) where b. applies.**¹⁵
 - b. Within those areas identified as Small Neighbourhood Centres and Local Stores all buildings shall be built entirely to the front boundary.
 - c. Within those areas identified as Variant Business Centres, there is no requirement to build to the front boundary.
 - d. All buildings **and tenancies** required to be built to the front boundary shall

¹⁴ S51.121

¹⁵ S50.025

provide at least one pedestrian entrance at the street.

- e. **Within the Aokautere Neighbourhood Centre (7A.43C) all pedestrian entrances shall be provided at the street frontage (excluding service lanes do not form street frontage for the purposes of this standard)**¹⁶.

(f) Verandas

- i. Within Large Neighbourhood Centres, Small Neighbourhood Centres and Local Stores, verandas will **be integrate with the shop frontage; be** constructed along the full length of any building frontage facing a street whether the building is built to the street edge or setback from it and will be connected to any adjoining verandas.
- ii. Verandas will be setback 600mm from the face of the kerb of any road carriageway or car parking area.
- iii. Within Variant Business Centres, a veranda is not required along the length of the building frontage, a cover over all main pedestrian entrances will be provided that covers the width of the entrance opening for a depth not less than 2 metres.
- iv. **Within the Aokautere Neighbourhood Centre (Map 7A.3C) lettering shall not dominate the canopy area by being secondary to the veranda.**¹⁷

(g) Shop fronts and Glazing

- i. Large Neighbourhood Centres, Small Neighbourhood Centres and Local Stores
 - All buildings shall have clear glazing for 75% of the height of the ground **primary** floor frontage and for no less than 75% of the ground **primary** floor frontage width, **except in the Aokautere Neighbourhood Centre (Map 7A.4C), where all buildings shall have clear glazing of no less than 60% and no more than 75% of the height of the ground floor primary frontage, and oOn corner sites, the proportion of clear glazing on the secondary frontage shall not be less than one third of the secondary frontage width. The exception is aAt the interface with Pacific Drive in the Aokautere Neighbourhood Centre (7A.43C), where all buildings shall have clear glazing for no less than 75% of the ground floor primary and secondary**¹⁸ frontage.¹⁹
 - Maximum length of a blank wall along a frontage shall be no greater than 3 metres.
 - No roller shutters are permitted along a retail frontage at any time.
 - **Window size, proportion, grouping and/or subdivision of openings should take account of the overall architectural elevation of the building.**²⁰
 - **Fascia shall be sited below the sill of the first-floor windows in the Within the Aokautere Neighbourhood Centre (7A.43C) verandas and fascia must be individually distinguishable from those on adjacent buildings and must not cross adjoining buildings. (See Figure 11.5A)**²¹.

[See revised Figure 11.5A]

- ii. Variant Business Centres
 - Maximum allowed width of a shop front is 15 metres.

¹⁶ S50.025

¹⁷ S51.124

¹⁸ S50.025

¹⁹ S51.125

²⁰ S51.126

²¹ S51.126

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- All tenancies shall have clear glazing for 75% of the height of the ground floor frontage and for no less than 50% of the ground floor frontage width.
- Maximum length of a blank wall along a frontage shall be no greater than 6 metres.

NOTE TO PLAN USERS

The rules contained within R11.10.2.2(e)(ii), (f) and (g) that relate to Variant Business Centres are subject to the limitations identified within the definition for Variant Business Centre in Section 4, Definitions.

For the purposes of R11.10.2.2(g)(i) the primary frontage of a building is the portion of a frontage that serves the main access point to a building or tenancy and faces the principal retail street through the centre, while the secondary frontage is the portion of a frontage facing a lower order street through the centre and not providing the main access to the building or tenancy.

(h) ~~Parking, Loading and Access~~

~~Compliance with R11.10.2.1(h).~~

~~(i)(h)~~ Ground Level Parking

Compliance with R11.9.1.2(h).

Explanation

Buildings in the Local Business Zone are usually quite different in size and style to those in the surrounding, mainly residential area. It is important therefore, that at the residential interface the size and general bulk of buildings is constrained to make them compatible with the adjoining dwellings. This also ensures there are minimal effects on overall amenity values. Where dwellings are built within the Zone it is important that they enjoy a good amenity standard to ensure they still represent a reasonable living environment.

(i) Landscape Amenity

Compliance with R11.9.1.2(i) with the following exceptions:

a. Street Frontage

- Any building that is not built to the street frontage must provide at least one specimen tree for every 7 metres of site frontage, and a 2 metre deep planting strip for any length of un-built frontage greater than 5 metres.

b. Perimeter Planting

- An amenity strip of not less than 1.5 metres shall be provided along the boundary of any site which shares a common boundary with a residentially zoned site except where a building is allowed up to an adjoining boundary under R11.10.2.2(d).

Explanation

For the purposes of interpreting R11.10.2.2(i), with regard to the bullet point under (a) above is to replace the first two bullet points under R11.9.1.2(i)i Street Frontage. With regard to the bullet point under (b) above, this is to replace the first bullet point under R11.9.1.2(i)ii Perimeter Planting. All other provisions under R11.9.1.2(i) are to be applied as written with no exceptions.

Landscaping is an important contributor to the provision and maintenance of adequate amenity at the interface between the Local Business Zone and neighbouring residential, recreational, or conservation and amenity areas. In addition to its amenity contribution, landscaping also provides a useful technique for mitigating adverse effects through, for example, softening the appearance of development (e.g. monotonous building form, parking areas); separating activities; and providing

NOTE TO PLAN USERS

In relation to frontage planting the performance standards can be met by the planting of trees at a frequency of one per seven metres along the site frontage; or alternatively group planting the required number of trees at some point(s) along the frontage.

(j) Aokautere Neighbourhood Centre Precinct Plan

Development in the Aokautere Neighbourhood Centre shall be in [general](#)²² accordance with the Aokautere Neighbourhood Centre Precinct Plan. (Map 7A.43C)

(k) Natural Hazards within the Aokautere Neighbourhood Centre ([Map 10.1A](#))

Within the Aokautere Neighbourhood Centre all buildings shall be located on land that:

- **is either Developable Land, or Limited Developable Land that is identified as Class D ([Map 10.1A](#)); and**
- **has been confirmed as appropriate for development in a geotechnical report that satisfies the requirements of R7A.5.2.2(a)(xix); and**
- **has had any land stability, uncontrolled fill and natural hazard mitigations recommended in the geotechnical report implemented.** ²³

(l) Stormwater Management in the Aokautere Neighbourhood Centre

Within the Aokautere Neighbourhood Centre, all buildings shall be located on land:

- i. **for which a Stormwater Management Plan has been prepared which meets the requirements of, ~~or is consistent with~~ R7A.5.2.2(f); and**
- ii. **[where all stormwater will be discharged to a catchment where Primary Stormwater Elements designed to manage stormwater and erosion from the fully developed contributing catchment up to the 1% AEP design storm event \(accounting for climate change in accordance with the Palmerston North City Council Engineering Standards for Land Development\) are installed and operational.](#)** ²⁴

11.10.3 RULES: RESTRICTED DISCRETIONARY ACTIVITIES

R11.10.3.1 Activities which do not comply with the Permitted Activity Performance Standards

Activities which do not comply with the Permitted Performance Standards (in R11.10.2.1) in relation to:

- (a) Lighting
- (b) Screening
- (c) Size of Function
- (d) Residential Accommodation
- (e) Vehicle Parking
- (f) Loading and Access
- (g) Car Park Landscape Design

²² \$51.125, \$58.050

²³ \$107.004, \$21.002,

²⁴ \$60.004, \$43.001, \$39.007, \$41.008, \$77.001-2

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(h) Servicing and Loading Hours

(i) Signs

~~(j) [Natural Hazards within the Aokautere Neighbourhood Centre \(Map 10.1A\)](#)~~

~~(k) [Stormwater Management in the Aokautere Neighbourhood Centre](#)²⁵~~

are Restricted Discretionary Activities with regard to:

- Effects on residential amenity
- Effects on viability and choice of Local Business activities
- Public Safety
- Visual amenity
- Internal amenity
- Street edge amenity
- The safe and efficient operation of the roading network
- The provision of car parking
- Efficient, convenient and safe access.

~~• [Natural Hazards](#)²⁶~~

Determination Clause

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 overarching Business Zone and Local Business Zone objectives and policies, assess any application in terms of the assessment criteria below. Also, where a proposal fails to comply with R11.10.2.1(e), Size of function, then as well as assessing the non-compliance against R11.10.3.1(c), the Council will also assess any application under the remaining relevant assessment criteria in R11.10.3.1(a),(b) and (e) to (h). Where a proposal fails to comply with one of R11.10.2.1(a) to (d) and (f) to (i), only the assessment criteria triggered by the specific non-compliance will be assessed.

Assessment Criteria

(a) Lighting

The assessment criteria contained in R11.6.2.1(a)

(b) Screening

The assessment criteria contained in R11.6.2.1(b) and

- i. The extent to which outdoor storage areas are sited and designed so that the visual amenity and the quality of streetscape is maintained.
- ii. The extent to which outdoor storage areas are sited and designed to allow for the unfettered operation of access, parking, loading and manoeuvring areas for vehicles.

Explanation

The Local Business Zone shares an extensive interface with the Residential Zone. Because the range of activities and the form of development within the Local Business Zone is so diverse, variations to the way outdoor storage areas are provided may be considered. However, it is critical that the visual amenity and the quality of streetscape in nearby residential areas is maintained.

(c) Size of Function

²⁵Clause 16 amendment

²⁶ Clause 16 amendment

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- i. The extent to which a range of convenient services are provided to the surrounding local catchment.
- ii. The extent to which a large scale anchor tenant and a mix of smaller scale activities provide a diverse range of goods and services to the local catchment.
- iii. The extent to which crowding out of small scale activities by a dominant large scale activity is avoided.

Explanation

Ensuring that a range of activities have the opportunity to locate within a Local Business centre reinforces the overall intention of the Local Business Zone which is to provide a variety of activities in convenient locations that meet the day-to-day needs of local suburban catchments.

(d) Residential Accommodation

- i. The extent to which the presence of residential accommodation contributes to the scale and visual presence of a centre.
- ii. The extent to which the development provides for a mix of activity that supports the purpose of the Local Business Zone and provides services to the local residential catchments.
- iii. The extent to which residential activity does not lead to the inefficient use and development of physical resources of the Local Business Zone.
- iv. The extent to which residential occupation maintains appropriate continuity of publicly relevant activity at the street edge at ground level.

Explanation

A mix of activities in the Local Business Zone includes supermarkets where the opportunity exists, residential accommodation and local service shops and offices. Residential Accommodation at an

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above ground level is seen as a positive addition to a Local Business centre as it contributes to residential choice and provides a sense of visual presence and scale to that centre and also natural surveillance and visual interest after dark. By requiring residential accommodation to be ancillary to the core Local Business activity this ensures that the overall intention of the zone is protected and the displacement of Local Business services does not occur.

(e) ~~Vehicle Parking~~

The assessment criteria contained in R11.9.3.1(d), excluding assessment criterion 11.9.3.1(d) (xv).

(f)(e) ~~Loading and Access~~

The assessment criteria contained in R11.9.3.1(c), excluding assessment criterion 11.9.3.1(c) (iv).

(f) ~~(g)~~Car Park Landscape Design

The assessment criteria contained in R11.9.3.1(e).

(g) ~~(h)~~Servicing and Loading Hours

The assessment criteria contained in R11.9.3.1(f).

~~(h) Residential Activities in the Aokautere Neighbourhood Centre~~

~~The assessment criteria contained in R11.9.3.1(d)~~

(i) Natural Hazards in the Aokautere Neighbourhood Centre

How the development manages potential adverse effects associated with the geotechnical constraints and natural hazards within the Aokautere Neighbourhood Centre through implementation of any geotechnical or engineering recommendations, including the level of geotechnical investigation carried out and whether that investigation satisfies the requirements of R7A.5.2.2(a)(xix), and the level of analysis and specific design requirements arising from the investigation with particular reference to:

- i. cut slope behaviour and slope stability analysis to develop appropriate set back distances from the crest of slopes for building platforms;
- ii. whether building platforms should be restricted in certain areas;
- iii. whether specific foundation designs are required in certain locations; and/or
- iv. the management of earthworks and recontouring of land.²⁷

R11.10.3.2 The Construction, External Alteration of, or Addition to a Building which does not comply with the Performance Standards for Permitted Activities

The construction, external alteration or addition to a building which does not comply with the Performance Standards for Permitted Activities (in R11.10.2.2), excluding non-compliance with performance standard R11.10.2.2(i) Aokautere Neighbourhood Centre Precinct Plan, which is a discretionary activity under R11.10.4.1²⁸, in relation to:

- (a) Maximum floor area, maximum building height
- (b) Ground floor height
- (c) Height of any building which adjoins a site in a residential zone and separation distance

²⁷ Clause 16 Amendment

²⁸ S58.051, S51.008

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(d) Building frontages, shop fronts and glazing

(e) Pedestrian cover and verandas

(f) ~~Vehicle parking~~

(g)(f) Loading and access

(h)(g) Car park landscape design

(i)(h) Ground level parking

(j)(i) Landscape amenity

(j) Natural Hazards within the Aokautere Neighbourhood Centre²⁹

(k) Stormwater Management in the Aokautere Neighbourhood Centre³⁰

are Restricted Discretionary Activities with regard to:

- External design and appearance
- Building mass and height
- Site layout
- Relation to streets and other public spaces
- Effects on residential amenity
- Scale relation to existing smaller neighbours
- Pedestrian cover
- Parking areas
- The safe and efficient operation of the road network
- Safety and security
- Landscape amenity
- **Natural hazards**
- **Stormwater management³¹**

Performance Standards

All activities under R11.10.3.2 that involve the re-development of 50% or greater of the total area of a Local Business site, or any development on a greenfield site, must provide (as part of the resource consent application) a comprehensive development plan with regard to the design, layout and servicing of the Local Business Zone site. The Comprehensive Development Plan must consider and address, where relevant, the following issues:

- i. Intensity and concentration of activity at the Local Business centre;
- ii. Provision for a mix of activities, including residential and/or offices above ground, and good local services/amenities;
- iii. Large format tenancies integrated, placed and orientated to support smaller tenancies;
- iv. Planning that anticipates staged development and/or future growth, including how the development relates to neighbouring sites and areas;
- v. Provision of suitably scaled, high quality sunny and 'active' open space at the

²⁹ S60.002

³⁰ S60.003-5, S77.001-2

³¹ S60.003-5, S77.001-2

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centre;

- vi. Multiple high quality connections to the surrounding street network, including the finest grain of pedestrian connections between spaces and relation to the public space system in the wider neighbourhood;
- vii. Formation of positively defined, shaped, high quality open spaces;
- viii. Provision for informal surveillance over all publicly accessible open spaces;
- ix. Development of a distinctive, memorable and context-appropriate sense of place;
- x. Extent and quality of hard and soft landscaping, including their consistency with the wider landscape network;
- xi. Convenient, efficient and coordinated car parking;
- xii. Building bulk and form that:
 - a. is coordinated and coherent,
 - b. contributes to a positive image for the centre, and
 - c. defines adjacent open spaces.
- xiii. Ensuring safe, efficient operation of the roading network, both within and around the centre;
- xiv. Pedestrian safety and amenity within the centre;
- xv. **Within the Aokautere Neighbourhood Centre, Consistency³² with any relevant Precinct Plan or Structure Plan.**

Explanation

³² S51.131, S51.007, S51.134

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The total area of a Local Business centre is the full extent of the land zoned for Local Business in each locality, and that is collectively regarded as a centre. Buildings and activities consented under the CDP approach may be quite different in scale and size to those provided for under the permitted activity rules. This outcome is anticipated by the plan and the effects of such activities are assessed and managed through the preparation of a CDP and the resource consent process.

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

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

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

- Context plan, describing the development in the context of neighbouring sites and areas and showing activity, building form and location, streets and street landscaping.
- Site and context analysis which identifies important existing conditions.
- Site plan showing the general arrangement of buildings, activities, open spaces including streets, parking, servicing and movement.
- Description of the intended building form envelopes, potentially with description of shading effects on any notable public open spaces should these be provided.
- Indication of the intended activities and their location, and the location and type of visual and physical connections between buildings and public open spaces including streets.
- Design rationale, which provides the reasoning for the intended approach and describes how the relevant issues identified have been responded to.

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

Determination Clause

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 overarching Business Zone and Local Business Zone objectives and policies, assess any application in terms of the assessment criteria below. Also, where a proposal fails to comply with R11.10.2.2(a), Maximum Floor Area and R11.10.2.2(b) Building Height, then as well as assessing the non-compliance against R11.10.3.2(a), the Council will also assess any application under the remaining relevant assessment criteria in R11.10.3.2(b) to (j). Where a proposal falls under R11.10.3.2(b) to (j), only the assessment criteria triggered by the specific non-compliance will be assessed.

Assessment Criteria

(a) Maximum Floor Area and Maximum Building Height

The assessment criteria contained in R11.10.3.1(c), And

- i. The extent to which the building relates to the character of its setting, contributes to the quality of adjoining open spaces, and avoids visual dominance.
- ii. The extent to which new large buildings retain reasonable visual privacy and daylighting for adjacent residential accommodation.
- iii. The extent to which plant and services (e.g. air conditioning and rubbish storage)

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and their enclosure is integrated into the building design, screened from public view or otherwise treated to enhance the appearance of the building.

Scale in relation to smaller neighbours

- iv. The extent to which large buildings are complemented by small scale and narrow frontages to achieve diversity and contribute to a fine-grained, active street edge where this is appropriate.
- v. The extent to which large buildings integrate forms, dimensions and/or alignments which establish a positive scale relationship with smaller neighbours.

Pedestrian Linkages

- vi. The extent to which direct and safe public through-site pedestrian links are provided on large blocks, where these provide a useful link between known or potential destinations.

Explanation

Developments that are prominent due to their conspicuously large size or height have the potential to create commensurately large effects. While these developments are important for the economic viability and vitality of the City, it is equally important that they contribute to the environmental quality of the City's urban area. In all cases, the Council expects buildings to face the street edge and to positively contribute to the visual character and amenity of the surrounding area. Design techniques to avoid buildings visually dominating their surroundings may include breaking down the scale elements of the façade with modulation of form and variation of surface treatment.

Risk to light and amenity can occur with intensive development. The amenity of residential activity becomes increasingly important. This includes consideration of daylight access to dwellings, overlooking, privacy and outlook, all of which are impacted by the mass and height of buildings. Regardless of their height, the roofs of large floor plate buildings can have significant visual impacts – especially when seen from elevated sites around the City. Modulation techniques may include visual subdivision of large roof planes; sculptural roof forms; and expression of structure or secondary form, such as service rooms and towers. With good planning and design, large buildings do not need to compromise their setting, and can instead be an asset to their neighbourhood.

(b) Ground Floor Height

- i. The extent to which the ground floor height provides suitable clearance for both intended and possible future functions within that building.
- ii. The extent to which the ground floor height relates to the height of adjacent buildings.

(c) Height of any Building which Adjoins a Site in a Residential Zone and Separation Distance

The assessment criteria contained in R11.9.3.2(b).

(d) Building Frontages, Shopfronts and Glazing

- i. The extent to which the potential adverse effects of blank walls adjoining residential sites, at the street edge and/or conspicuously large high-level blank walls that are in prominent view from streets and other public spaces are avoided or screened.
- ii. The extent to which visual and physical connections are maintained between building interiors and adjoining streets and other public spaces to a degree appropriate to the location.
- iii. The extent to which a ground floor frontage that is wider than those in close proximity to it provides a visual interest and an active edge including multiple entries.

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- iv. The extent to which large scale developments in Large and Small Neighbourhood Centres and also Local Stores are complemented by small scale and narrow frontages to achieve diversity and contribute to a fine-grained active street edge.
- v. The effects of not building to the street frontage on the pattern of adjacent activities and the continuity of the street frontage.
- vi. Whether the building setback from the street frontage creates positive open spaces with a high usability and aesthetic quality, and which contribute positively to the public space system of the city.
- vii. The extent to which a setback of the building entrance avoids creating spaces which might provide for concealment.
- viii. The extent to which eliminating the setback will lead to enhanced visual and acoustic privacy for residents.
- ix. For variant business and or vehicle orientated activities, the extent to which the surrounding environment is characterised by patterns of stand-alone buildings that are set back from the street edge.
- x. The extent to which any building set back from a street edge enhances the appearance of the site from the road and defines the street boundary with high quality landscaping.
- xi. For variant business and or vehicle orientated activities where buildings are set back from the street edge, the extent to which pedestrian only or pedestrian priority areas are provided with kerbs or raised pedestrian facilities or material differentiation.

xii. **In the Aokautere Neighbourhood Centre (Map 7A.43C):**

- a. **How the construction, external alteration or addition to a building is in accordance with the Aokautere Neighbourhood Centre Precinct Plan.**
- b. **How the composition, modelling of building form and the detail of building facades creates visual interest and achieves aesthetic coherence when viewed from the street.**
- c. **Whether a break in shop frontage will adversely affect the amenity values of the neighborhood centre.**
- d. **How the building maintains the alignment of neighbouring buildings along the street edge, and the amenity of the surrounding streets.**
- e. **How the entrance to a building or tenancy is easily distinguishable in the building façade through recessing the entrance or some other design approach.**
- f. **How the commercial activity at the ground level contributes to the vitality, amenity and safety of the street and neighbourhood centre.**
- g. **How glazing is organised with vertical proportions along the façade of any building using pilasters, mullions, glazing bars and stall risers.**
- h. **How windows, including glazing bars, mullions and transoms are in proportion to the shop frontage and building as a whole.**
- i. **How signs, lighting and security measures are integrated into the overall design of the buildings and the Aokautere Neighbourhood Centre.**

Explanation

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The Council wishes to ensure that new building development or redevelopment relates positively to the street edge and creates an attractive interface where the public and private realms meet. In particular, development should maintain visual and physical connections to the street by providing frontages that include entrances and openings facing the edge of streets. The Council requires development to articulate or eliminate wall surfaces that are featureless or blank. Large blank surfaces should not occur at ground level at the street edge as these lack interest and activity, compromising the experience of the adjacent space. A flat wall surface might constitute a small proportion of ground floor facades, but only if the quality of the street edge is not compromised as a result. While a building may have primary frontage, other visible facades should include detail and openings and be treated similarly as frontages – albeit secondary ones.

Development needs to be provided for in a way that offers flexibility and recognises the operating characteristics of large format and vehicle orientated activities while ensuring a high level of visual amenity is achieved. The requirement to build to the front boundary for sites recognises the importance of maintaining the existing street edge alignment. Departure from this core principle is a matter of discretion.

(e) Pedestrian Cover and Verandas

The assessment criteria contained in R11.9.3.2(e), and

- i. The extent to which the veranda is integrated with the design of the building and maintains continuity of shelter with adjoining sites.
- ii. The effects of not providing a veranda upon the use, design and appearance of adjoining buildings.
- iii. In the Aokautere Neighbourhood Centre (Map 7A.4), the³³ extent to which any veranda integrates with the shop frontage and the character of the building and streetscape.
- iv. In the Aokautere Neighbourhood Centre (Map 7A.4), the extent to which avoidance of lettering on signs which visually dominates the veranda canopy area and detracts from the amenity of the streetscape.³⁴

Explanation

Shelter for pedestrians is an important amenity consideration. It is important to provide the shelter necessary at the building entrance for pedestrians, however this is not necessary along the sides of buildings, or for buildings set well back from the street frontage. Cover at the building entrance is important for way finding and legibility because it signals the location of the entrance to the building.

(f) Vehicle Parking

~~The assessment criteria contained in R11.9.3.1(d).~~

~~(g)~~(f) Loading and Access

The assessment criteria in R11.9.3.1(c).

~~(h)~~(g) Car Park Landscaping

The assessment criteria contained in R11.9.3.1(e).

~~(i)~~(h) Ground Level Parking

The assessment criteria contained in R11.9.3.2(f).

~~(j)~~(i) Landscape Amenity

- i. The extent to which on-site landscaping complements public landscaping at or near the street edge and establishes conditions of safety, visual interest and amenity within the development.
- ii. The extent to which alternative provision of on-site amenity and landscaping

³³ S51.007, S51.134

³⁴ S51.132

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maintains and enhances the amenity of the wider streetscape and residential areas.

- iii. The extent to which growing conditions are provided for that will ensure the successful establishment, growth and on-going viability of planting.

Explanation

The specified approach to landscaping provision will not be practical in every instance. However, it is critical that alternative responses to landscaping provision positively contribute to on-site and wider streetscape amenity. The maintenance of landscaping, especially in the first twelve months, is critical to its actual success. Factors such as irrigation, wind protection and the growing medium are all critical to the successful establishment of landscaping.

(j) Natural Hazards in the Aokautere Neighbourhood Centre

How the development manages potential adverse effects associated with geotechnical constraints and natural hazards within the Aokautere Neighbourhood Centre through implementation of any geotechnical or engineering recommendations, including the level of geotechnical investigation carried out and whether that investigation satisfies the requirements of R7A.5.2.2(a)(xix), and the level of analysis and specific design requirements arising from the investigation with particular reference to:

- i. cut slope behaviour and slope stability analysis to develop appropriate set back distances from the crest of slopes for building platforms;
- ii. whether building platforms should be restricted in certain areas;
- iii. whether specific foundation designs are required in certain locations;
- iv. the management of earthworks and recontouring of land; and/or
- v. future stream erosion and potential for downcutting.³⁵

(k) Stormwater management in the Aokautere Neighbourhood Centre

- i. Within the Aokautere Neighbourhood Centre, whether any building will be located on a site for which a Stormwater Management Plan has been prepared which meets the requirements of R7A.5.2.2(f), and
- ii. Whether stormwater from the development will be discharged to a catchment where Primary Stormwater Elements designed to manage stormwater and erosion from the fully developed contributing catchment up to the 1% AEP design storm event (accounting for climate change in accordance with the Palmerston North City Council Engineering Standards for Land Development), are installed and operational.³⁶

11.10.4 RULES: DISCRETIONARY ACTIVITIES

R11.10.4.1 Discretionary Activities

Any activity or the construction, reconstruction or alteration of any building or structure which is not provided for by R11.10.2.1, R11.10.2.2, R11.10.3.1, R11.10.3.2, R11.10.4.2 or R11.10.5.1 is a Discretionary Activity.

Any construction, reconstruction or alteration of any building or structure within the Aokautere Neighbourhood Centre that does not comply with performance standard (j) in R11.10.2.2 or the performance standards in R11.10.3.2, is a Discretionary Activity.³⁷

R11.10.4.2 Service Stations

³⁵ S30.001, S39.007, S43.001, S107.004, S22.02

³⁶ S60.004, S77.001-2

³⁷ S50.025, S58.051, S51.008

NOTE TO PLAN USERS

Replacement of 'like for like' is not an addition or alteration and is a permitted activity.

11.10.5 RULES: NON-COMPLYING ACTIVITIES

R11.10.5.1 ~~Offensive Activities, Industrial Activities and Crematoria~~

The following activities are Non-Complying Activities:

- (a) ~~Offensive Activities, Industrial Activities, and Crematoria, and Residential Accommodation at Ground Floor Level³⁸ and Residential Activities at Ground Level in the Aokautere Neighbourhood Centre³⁹, are Non-Complying Activities. and~~
- ~~(b) The construction, reconstruction or alteration of any building or structure that does not comply with Performance Standard R11.10.2.2(i).⁴⁰~~

Explanation

Offensive Activities and Crematoria have a range of potential effects that could adversely affect the amenity qualities of the Local Business Zone. The application of Non-Complying Activity status to these activities will ensure that any Offensive Activity or Crematoria has to demonstrate that it can satisfy the requirements of Sections 104 and 104D of the Resource Management Act 1991 prior to any approval being granted.

11.10.6 RULES: NOTIFICATION

R11.10.6.1 Notification

- i. The following activity addressed in this section must not be publicly notified: R11.10.3.1 and R11.10.3.2.
- ii. The following activity addressed in this section must not be limited notified: R11.10.3.1 and R11.10.3.2.

11.10.7 RULES: NOISE

R11.10.7.1 NOISE

(a) Noise

- i. Noise from any activity within the Local Business Zone must not exceed the following limits at any point within any other site within the Local Business Zone:

At any time	60 dB $L_{Aeq(15mins)}$
Daily 10:00pm to 7:00am the following day	80 dBA L_{max}

- ii. Noise from any activity must not exceed the following limits at any point within any site zoned for residential purposes:

7:00am to 7:00pm	55 dB $L_{Aeq(15mins)}$
7:00pm to 10:00pm	50 dB $L_{Aeq(15mins)}$
10:00pm to 7:00am	45 dB $L_{Aeq(15mins)}$
10:00pm to 7:00am (Nighttime L_{max})	75 dBA L_{max}

- iii. Where it is impracticable to measure outside a building, the noise from any activity

³⁸ Clause 16 amendment

³⁹ S51.110

⁴⁰ S51.110, S58.052

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within the Local Business Zone must not exceed the following limits, inside any residential units in any building on any other site within the Local Business Zone:

Bedrooms 10:00pm to 7:00am the following day	35 dB $L_{Aeq(15mins)}$
Bedrooms 10:00pm to 7:00am the following day	55 dBA L_{max}
Other habitable rooms	40 dB $L_{Aeq(15mins)}$

This must not allow any relaxation in the noise limits in (i), and (ii) of R11.10.7.1.

Explanation

The noise rules within the Local Business Zone are designed to allow activities to make maximum noise while still providing a reasonable level of control to residential activities in the area. Where noise sensitive uses (including residential activities) are proposed for the Local Business Zone it is the responsibility of the designer, developer, owner and user to ensure that buildings are appropriately insulated against higher levels of noise that are allowed. Residents in the Local Business Zone must accept that some adverse noise impacts will be experienced from time to time. In this regard, it is important that residential development in the Local Business Zone does not compromise the effective development and operation of business activities.

(b) Noise Insulation

Any habitable room in a building used by a noise sensitive activity within the Local Business Zone shall be protected from noise arising from outside the building by ensuring the external sound insulation level achieves the following minimum performance standard:

Bedrooms and sleeping areas	$D_{nT,w} + C_{tr} > 25dB$
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Compliance with this performance standard must be achieved by ensuring bedrooms and sleeping and habitable rooms are designed and constructed in a manner that accords with an acoustic design certificate signed by a suitably qualified acoustic engineer stating the design as proposed will achieve compliance with the above performance standard.

(c) Ventilation

Compliance with R11.6.6.1(c).

(d) Outdoor Speaker Noise

Compliance with R11.6.6.1(d).

(e) Fixed Plant

Compliance with R11.6.6.1(e).

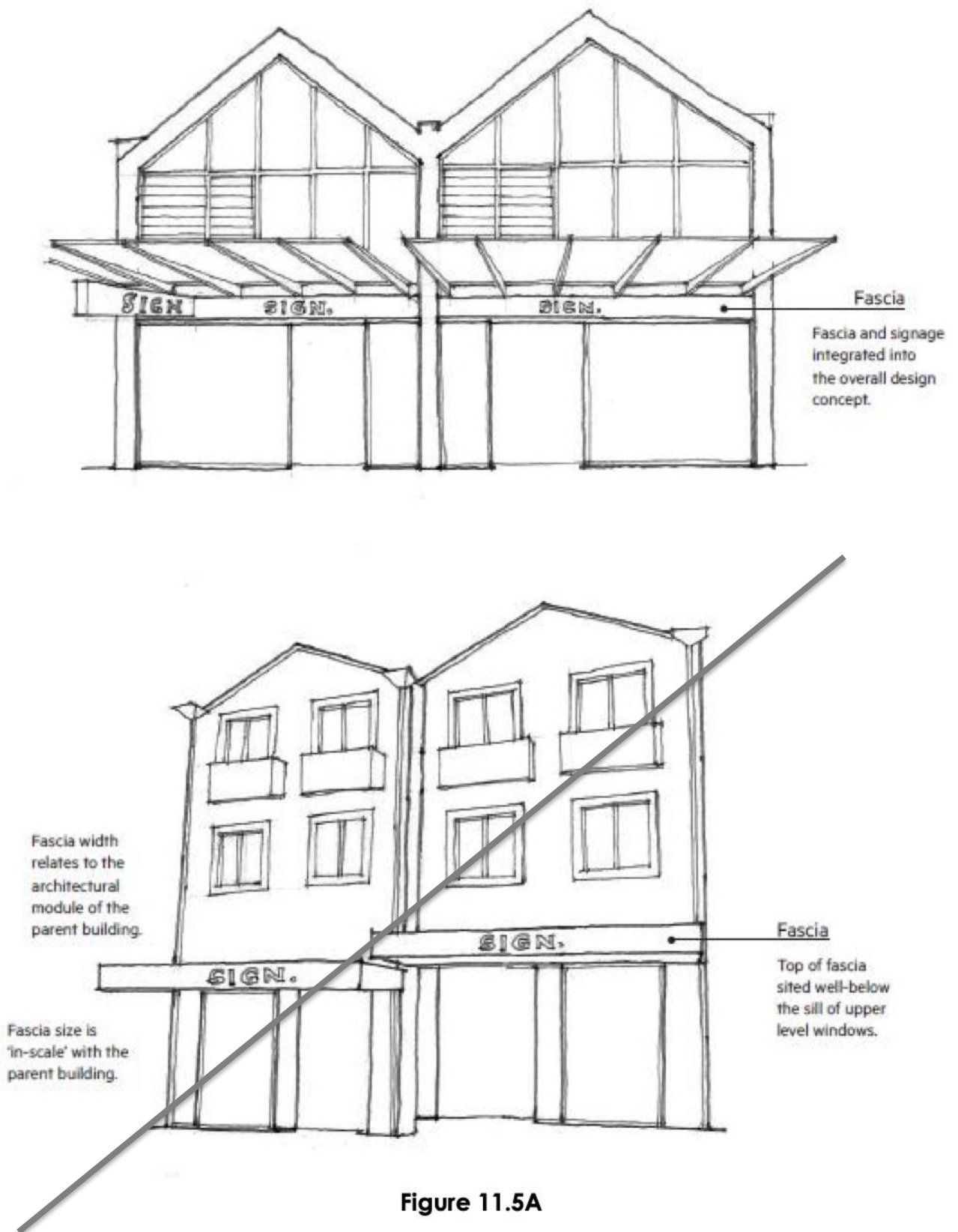


Figure 11.5A



Figure 11.5A

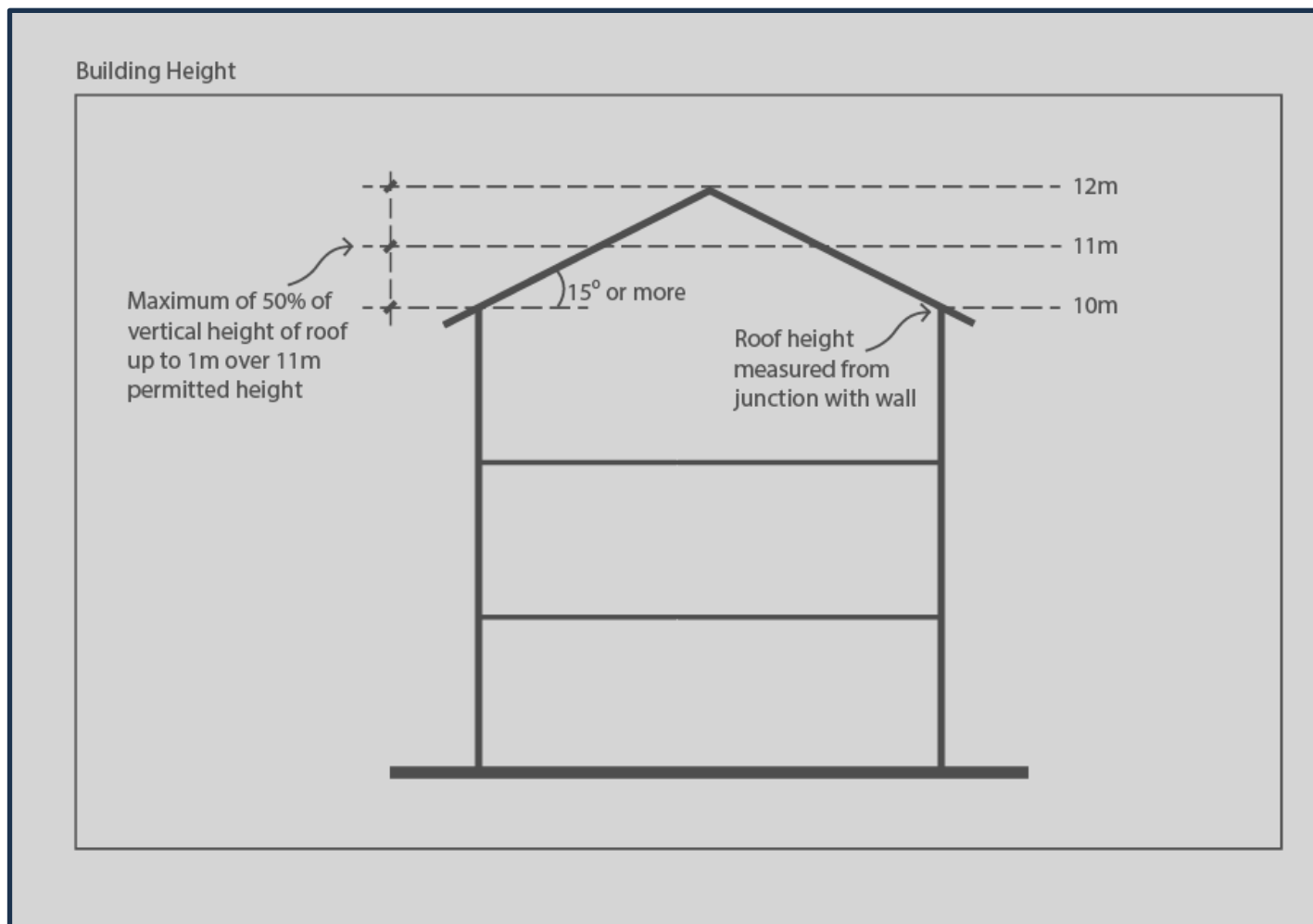


Figure 11.5B

11.11 Fringe Business Zone

11.11.1 INTRODUCTION

The District Plan strategy for the City's business areas is underpinned by the overall objective to achieve the sustainable use and development of physical resources within the City's business areas. The strategy seeks to promote the efficient use and continued viability of existing physical resources through the existing hierarchy of established business zones within the City. A key component of achieving the Business Zones' overarching objective is to ensure an integrated approach is taken to managing retail activity by maintaining clear distinctions between the City's hierarchy of business zones. As part of the integrated approach to managing retail activities within the City's business zones the Fringe Business Zone provides for large format retail activities but not on a scale that adversely affects the Inner Business Zone's function as the primary retailing precinct in Palmerston North.

The Fringe Business Zone covers three distinct areas within Palmerston North City, which are located on or within the vicinity of the Primary Rooding Network (see Figure 20A.2). The Zone is intended to provide for space extensive retail activities, commonly referred to as large format retailing as well as other activities that contribute towards the community's business needs.

The Fringe Business Zone is a relatively new zone, initiated in 2004, to provide suitable land areas for the growing demand for large format retailing. This type of retailing by its nature requires relatively large areas of commercially zoned land for the large size of buildings it requires and associated parking areas. A study commissioned by the Council in 2003, named the Palmerston North Retail Study (May 2003) concluded that there was a shortage of land for this form of retailing activity and areas have therefore been zoned to provide for these activities.

There are several critical aspects associated with the Fringe Business Zone covering both the immediate surrounding environment as well as the effects on other localities within the City. These critical aspects support the need for rules and performance standards which are specific to the zone. The first critical factor is that the Fringe Business Zone must be developed and operated in such a way that it does not adversely affect the efficient use and continued viability of existing physical resources within the Inner and Outer Business Zones. To ensure this, the Zone has controls that will result in it being complementary to the Inner and Outer Business Zones, furthering Palmerston North's reputation as a desirable destination retail location. The controls have the effect of only allowing larger format style activities.

The second critical factor is that the zoned areas front onto roads forming part of the Primary Rooding Network, as well as being located along one of the main entrance ways into Palmerston North. These zoned areas are therefore very much exposed to the public domain. Rangitikei Street is to be developed as a significant entrance to the city as part of the City Heart project. Tremaine Avenue and Featherston Street both contribute significantly towards the movement of traffic within Palmerston North and therefore have a high profile in terms of the number of persons travelling on these roads.

The third critical factor is the environment surrounding the zoned areas fronts and/or adjoins land in the residential zones. Therefore, due to the sensitive interface between the Fringe Business Zone areas and surrounding environment, controls have been placed in the District Plan to avoid, remedy or mitigate the visual effects on the residential environment, whilst enabling large format retailing activities to establish within Palmerston North in these sensitive areas.

11.11.2 OBJECTIVES AND POLICIES

Within the broad framework of the City View objectives in Section 2, the following objectives and policies were identified for the Fringe Business Zone:

OBJECTIVE 1

To provide for the establishment of large format retailing in appropriate locations.

POLICIES

- 1.1 To ensure that there is sufficient and suitable land to meet the space extensive requirements of large format retailing activities.
- 1.2 To ensure that any areas zoned Fringe Business are located so that the role of the Inner Business Zone is reinforced.

Explanation

The Fringe Business Zone has been established in response to the increasing market presence of large format retailers and the lack of suitably zoned sites to meet both their present and future needs. While large format retailing activity is permitted also in the Inner and Outer Business Zones there is a lack of readily available suitable sites in these zones for this form of activity.

The areas zoned Fringe Business are located on and in the vicinity of Rangitikei Street and in a number of cases have a residential interface, either by adjoining a residentially zoned property and/or facing a residentially zoned property(ies) separated by a road. All Fringe Business zoned areas adjoin Primary Roads (i.e. Major Arterial, Minor Arterial or Collector Roads), which provides them with exposure as well as easy access onto the roading network.

While there are some advantages in enabling significant integrated large format developments, these can also create marketing opportunities strong enough to attract key retailers out of the Inner Business Zone and thereby reduce the efficient and effective use of this zone as a whole. The approach adopted with the Fringe Business Zone is to allow integrated development but not on a scale that adversely affects the Inner Business Zone's function as the primary retailing precinct in Palmerston North.

OBJECTIVE 2

To ensure that the environmental effects of large format retailing are appropriately managed.

POLICIES

- 2.1 To ensure that the establishment of retail activities in the Fringe Business Zone does not create any significant adverse distributional effects through undermining the vibrancy and viability of the CBD.
- 2.2 That the environmental effects on the surrounding environment, which may arise from activities in the Fringe Business Zone, are avoided, remedied or mitigated.
- 2.3 To allow transitional activities on the boundary with Ngata Street as an option to mitigate the visual effects of large format retailing on adjacent residential activities.
- 2.4 To ensure that development within the zone on sites fronting streets, particularly those listed as forming part of the Primary Roding Network, project an image of a quality consistent with their role as main entrances to the city.

Explanation

Activities in the Fringe Business Zone, due to their scale, have the potential to create adverse environmental effects. These environmental effects include distributional effects pursuant to the potential relocation of existing retail activities from the Inner and Outer Business Zones to the Fringe

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Business Zone. The efficient use and continued viability of the existing physical resources within the Inner and Outer Business Zones is an important resource management consideration. Council's policy response is to ensure that smaller retail activities will be discouraged from establishing in the Fringe Business Zone.

It has also been identified that activities in the Fringe Business Zone have the potential to create adverse environmental effects on the surrounding environment. This potential is through a combination of the nature of the surrounding environment and the large-scale nature of the types of activities which are provided for in the Fringe Business Zone.

Activities within the Fringe Business Zone can typically be expected to generate high levels of traffic due to their destination type nature. This has the potential to create adverse environmental effects in terms of both parking overflow onto streets as well as affecting the safe and efficient operation of the roading network.

Rangitikei Street provides a key role in that it provides a major route into the city and it is being upgraded as a significant entrance to the city as part of the City Heart City Centre revitalisation project. Development on adjoining sites will contribute to the overall visual outcomes that are anticipated to be achieved.

The other significant effect on the surrounding environment is that the nature of large format retailing lends itself to the construction of extensive paved areas for car parking as well as relatively large building structures, typically with large blank side and rear walls. These have the potential to cause adverse visual effects on both the streetscape as well as on the nearby residential amenity. It is noted that the majority of the area surrounding the Tremaine Avenue Fringe Business Zoned area is Industrial in nature and consequentially there is a limited amount of residential amenity to be maintained compared to other Fringe Business Zoned areas.

OBJECTIVE 3

To provide for appropriate activities, in addition to large format retailing, in the Fringe Business Zone which do not detract from the vibrancy and vitality of the CBD.

POLICIES

- 3.1 To allow for identified activities that are compatible with the purpose of the Fringe Business Zone.
- 3.2 To ensure that activities in the Fringe Business Zone do not adversely affect the efficient use of existing physical resources in the CBD.
- 3.3 To recognise existing activities in the zone that contribute towards Palmerston North's wider commercial needs.
- 3.4 To ensure that activities, particularly those listed as forming part of the Primary Roding Network, project an image of a quality consistent with their role as main entrances to the city.

Explanation

As well as allowing for large format retailing activities in the Fringe Business Zone, it is also recognised that there are a number of activities existing within the areas that were rezoned and/or have no distributional effects on the core CBD of Palmerston North. A number of these activities contribute towards the wider retailing needs of Palmerston North such as trade suppliers and automotive and marine suppliers. A number of these activities were already in existence at the time that the identified areas were rezoned Fringe Business. Like large format retail activities, other activities also contribute towards the overall visual outcomes that are anticipated to be achieved in the Fringe Business Zone.

OBJECTIVE 4

To achieve integrated development of larger areas of land within the Fringe Business Zone.

POLICIES

- 4.1 To ensure that the development of the Fringe Business Zone is undertaken in an integrated manner to assist in the achievement of positive environmental outcomes including the following:
- 4.2 Effective and efficient traffic management to, within and from the site;
- 4.3 Co-ordinated and orderly development; and
- 4.4 Integrated management of environmental effects at the street interface.

Explanation

The Fringe Business Zone generally comprises land areas which have the potential to be developed in a comprehensive manner to enable the sharing of resources such as parking and access between multiple sites. By developing large land areas in a comprehensive manner, it also provides the opportunity to mitigate effects of activities on the surrounding environment.

The area zoned Fringe Business, bound by Ngata Street, Featherston Street, and the Ngata Street Service Lane has particular characteristics in terms of the residential interface on Ngata Street that requires special treatment. It does this by enabling the opportunity to utilise activities, other than large format activities at the residential interface boundary, to mitigate the effects of large format retailing. This is to ensure that the residential amenity values of Ngata Street are not entirely compromised by the development otherwise of large format retailing on the street frontage.

OBJECTIVE 5

To achieve a high standard of amenity within the Fringe Business Zone.

POLICIES

- 5.1 To discourage the establishment of activities that will have an adverse effect on the amenity values within the Fringe Business Zone.
- 5.2 To avoid the adverse effects of offensive activities in the Fringe Business Zone, by controlling their establishment.
- 5.3 To avoid, remedy or mitigate the adverse effects of business activities on each other, or on other activities located within the Fringe Business Zone.
- 5.4 To mitigate the adverse effects of large areas of carparking on internal areas and on the surrounding streetscape.
- 5.5 To maintain and enhance the identified character of particular retail areas that are zoned Fringe Business.
- 5.6 To recognise the entitlement existing activities have to continue to operate pursuant to Section 10 of the Resource Management Act 1991.

Explanation

In addition, to protecting the amenity of residential areas adjacent to the fringe Business Zone, it is important that the standard of amenity within these areas is maintained, and where possible enhanced.

To counteract the potential erosion of amenity that may arise as a consequence of allowing a relatively unrestricted range of activities to establish in the business zone, activities which

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are offensive in nature or which involve industrial processes will either be restricted or discouraged. There are existing Industrial Activities located within the Fringe Business Zone which are entitled to continue to operate provided that the effects of the use are the same or similar in character, intensity and scale to those which existed before the introduction of the zoning.

Business activities also have the potential to generate effects relating to such matters as noise, parking, location of access/egress points, and loading and storage areas which may impact on the level of amenity enjoyed by activities located within the Fringe Business Zone. To rectify this, appropriate safeguards have been introduced to ensure that any adverse effects are mitigated.

Over time, it is anticipated that the character of the Fringe Business Zone will change significantly to that of a commercial focus and contribute towards people's appreciation and enjoyment of this zone as a commercial precinct. It is important to establish and maintain the anticipated character so that it can be enjoyed by future generations.

11.11.3 METHODS

- District Plan Rules including specific Design Assessment Criteria
- Annual Plan Programmes for Amenity and Service Upgrades e.g. City Heart
- Monitoring land use and uptake.

The objectives and policies detailed above will largely be achieved through the rules contained in this and other sections of the District Plan. These rules provide an effective and efficient means of ensuring that the individual actions of those undertaking developments or establishing activities, achieve the environmental outcomes encapsulated in the objectives and policies. Discretion over the form of development is retained through rules, which cover design, appearance, traffic management and site layout in this zone. The brownfields nature and particular location of the zoned areas, justifies care in initial layout and development.

Annual Plan programmes providing for example, street tree planting, footpath paving and roading improvements will also help achieve some of the objectives and policies by providing funding for these works. At the time the Fringe Business Zone was initiated, a major City Centre revitalisation programme, known as City Heart was underway, beginning with a substantial remodelling of The Square as well as improvements, including planting and additional parking, on the four main roads into the CBD.

11.11.4 ENVIRONMENTAL RESULTS ANTICIPATED

It is anticipated that the objectives, policies, rules and other methods of this section will achieve the following results:

- Provision of sufficient land for the establishment of large format retailing activity.
- That the design and appearance of buildings and paved areas within the Fringe Business Zone are of a visually acceptable level.
- That the safe and efficient operation of the roading network is maintained.
- To ensure that the efficient use and continued viability of the CBD is maintained.

11.11.5 Rules: Permitted Activities

R11.11.5.1 Permitted Activities

Unless otherwise specified, as a Discretionary Activity or Non Complying Activity, the following are Permitted Activities provided that the associated performance standards are complied

Palmerston North City Council District Plan with:

- (a) Retail Activities
- (b) Trade Suppliers
- (c) Prepared Food & Beverage Outlets
- (d) Office Activities
- (e) Service Stations
- (f) Yard-based Suppliers
- (g) Automotive & Marine Suppliers
- (h) Building Suppliers
- (i) Farming & Agricultural Supplier
- (j) Garden & Patio Suppliers
- (k) Office Product Suppliers.

NOTE TO PLAN USERS

1. Please note the definition of Retail Activity in Section 4.
2. The construction, alteration of, and addition to buildings and structures associated with the above activities, is a Restricted Discretionary Activity.

Performance Standards

(a) Merchandising Area Retail Activity

- i. In respect of any activity in the Ngata Street Block Fringe Business Zone area as identified in Figure 11.2 the total Merchandising Area of retail activities in the area collectively (either existing or together with the Merchandising Area proposed in the application) must not exceed a total of 10,000m². In addition, any retail activity whether or not in the Ngata Street Block Fringe Business Zone must meet the relevant performance condition in (ii) or (iii) below.
- ii. Any retail activity, which is not part of a Multiple Retail Development, must have a minimum Merchandising Area of 1000m².
- iii. The average Merchandising Area per retail activity within a Multiple Retail Development must be no less than 1,500m² unless all of the individual retail activities within the Multiple Retail Development individually exceed 750m² in which case the minimum average Merchandising Area must be no less than 1,250m².

Prepared Food & Beverage Outlet

A maximum of one prepared food & beverage outlet is permitted per site and it must not occupy more than 10% of the Merchandising Area of the Retail Activity.

(b) Vehicle Parking, Loading and Site 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(d) Formation of Parking Spaces;
- 20.4.2(e) and (f) Loading Space Provision and Design;

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20.4.2(g) Cycle Parking Provision and Design;

20.4.2(h) Cycle Parking End of Trip Facilities.

(c) Office Activities

Offices must be ancillary to the principal activity on site and must not occupy more than 10% of the Gross Floor Area of the Building.

(d) Lighting

Any artificial lighting system shall ensure that its use does not result in an added illuminance over and above the measured ambient level, in excess of 8 lux measured in the vertical plane at the windows of any residential building in any residentially zoned site.

Explanation

Light spill associated with some activities can have an adverse impact on residential amenity. The imposition of a standard to control the level of illumination which occurs at the residential interface endeavours to mitigate the effect on residential amenity of excessive light spill.

(e) Signs

Compliance with R6.1.5.

(f) Outdoor Storage

Any outdoor storage area visible from any site in a residential zone or public area shall be screened from view by either a fence, wall of not less than 1.8m in height or dense planting of vegetation capable of growing to 1.8m in height.

(g) Hazardous Substances

Compliance with the provisions of Section 14 Hazardous Substances.

(h) Servicing and Loading Hours

Any Permitted Activity situated on any site which adjoins any part of a residential zoned site or directly faces any part of a residentially zoned site, across a road, right-of-way, access strip, service lane or drain shall only undertake the delivery of goods, product or material and/or the distribution of goods, products or materials between 6:00am and 10:00pm.

Except that this rule shall not apply where:

- i. On-site road access and manoeuvring area for vehicles involved in the delivery and/or distribution of goods, products or materials are located at least 80 metres from the nearest residentially zoned property boundary; and
- ii. Loading and unloading area for vehicles involved in the delivery and/or distribution of goods, products or materials are located at least 80 metres from the nearest residentially zoned property boundary.

Nothing in this rule shall exempt any activity from the requirements of R11.11.5.1(i) below.

Explanation

Where residentially zoned properties come into close contact with business areas these properties can be adversely affected by night-time delivery, distribution, and loading activities, for example, from idling vehicles or the opening and closing of doors, etc. By controlling operating hours at the direct residential interface, it should be possible to reduce disturbance to closest residential neighbours.

(i) Noise

Compliance with R11.11.9.1.



NOTE TO PLAN USERS

1. The construction of buildings is a Restricted Discretionary Activity.
2. Also refer to R23.6.2(i) – Radiofrequency Field Exposure.

11.11.6 RULES: RESTRICTED DISCRETIONARY ACTIVITIES

R11.11.6.1 Construction, Alteration of, and Addition to Buildings and Structures

The construction, alteration of, and addition to buildings and structures is a Restricted Discretionary Activity providing the following Performance Standards are met:

Performance Standards

(a) Comprehensive Development Plan

A Comprehensive Development Plan shall be submitted to the Council identifying the location and orientation of buildings, access, parking and landscaping.

NOTE TO PLAN USERS

1. This rule only applies to those sites located within the areas bound by 1. Ngata Street, Featherston Street and the Ngata Street Service Lane and 2. Tremaine Avenue, North Street and Rangitikei Street as identified in Figure 11.2.
2. Where the site of a proposal involves only part of the Comprehensive Development Plan area identified in Note 1, and land bounding the site of the application is not owned, or otherwise beneficially controlled by the site owner, an/or prospective occupier, the Comprehensive Development Plan shall show all relevant matters in relation to the application site. This must include showing the location of buildings, vehicle crossings, parking and servicing areas of adjacent properties (other than those with a common rear boundary) for a distance of no less than 20m, or the extent of the adjacent property, whichever is the greater. In this way, a Comprehensive Development Plan will be established over time for the area concerned.

Explanation

In the case of the Fringe Business Zone areas bounded in one instance by Ngata Street, Featherston Street, Grey Street and Rangitikei Street, and the other bounded by North Street, Tremaine Avenue and Rangitikei Street, it is important to ensure the coordination of activities and buildings to achieve an integrated result producing appropriate environmental outcomes particularly in relation to visual compatibility and traffic management. Therefore, as part of an application for resource consent, a Comprehensive Development Plan shall be provided for the above-specified areas or additional resource consent applications shall be in general accordance with an already-approved Comprehensive Development Plan.

Appropriate environmental outcomes include, where possible, the sharing of road access points, visual recognition of surrounding land uses (including likely potential future large format retail developments) and consistent visual appearance between activities. The orientation and positioning of buildings, landscaping and parking areas can influence the feasibility of establishing common shared resources as well as the resultant overall appearance. For this reason, when considering site design, it is important that future adjacent development also be taken into account to minimise adverse traffic effects on the roading network and achieving an integrated visual result.

(b) Height of any building on a site which fronts to or adjoins a site in a residential zone:

- i. Street Interface
 - Primary Building Envelope

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A stepped profile defines a series of setbacks from the street. Eleven metres or more from the street boundary, a building may reach a maximum height of 6.5 metres. Seventeen metres or more from the street boundary, a building may reach a maximum height of nine metres. Thirty metres or more from the street boundary, building height is no longer restricted, except in the case of a corner site where twenty metres or more from the street boundaries, building height is no longer restricted.

- Secondary Building Envelope

Additional building volumes will be permitted in front of the Primary Envelope but their dimensions will be subject to vertical and horizontal constraints. Between eight metres and eleven metres from the street boundary, secondary building volumes may reach a maximum height of 6.5 metres. However, the cumulative length of such volumes shall not exceed the greater of twelve metres or three quarters the total length of the building. In both cases, length shall be measured parallel to the street boundary.

- Tertiary Building Envelope

Further additional building volumes will be permitted above the Primary Envelope but their dimensions will be subject to vertical and horizontal constraints. Between eleven metres and seventeen metres from the street boundary, tertiary building volumes may reach a maximum height of nine metres. However, the cumulative length of such volumes shall not exceed half the total length of the building. In both cases, length shall be measured parallel to the street frontage.

Refer to Figure
11.5

ii. Rear Boundary Interface

- Primary Building Envelope

A stepped profile defines a series of setbacks from the residential boundary. Three metres or more from the rear boundary of an adjoining residential property, a building may reach a maximum height of four metres. Nine metres or more from this boundary, a building may reach a height of 6.5 metres. Twelve metres or more from this boundary, a building may reach a maximum height of nine metres. Twenty metres or more from the boundary, building height is no longer restricted.

- Secondary Building Envelope

Additional building volumes will be permitted above the Primary Envelope but their dimensions will be subject to vertical and horizontal constraints. Between three metres and nine metres from the rear boundary of an adjoining residential property, secondary volumes may reach a maximum height of 6.5 metres. However, the cumulative length of these volumes shall not exceed the greater of twelve metres or two thirds the total length of the building. In both cases, length shall be measured parallel to the adjacent residential boundary.

- Tertiary Building Envelope

Further additional building volumes will be permitted above the Primary Envelope but their dimensions will be subject to vertical and horizontal

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constraints. Between six metres and twelve metres from the rear boundary of an adjoining residential property, tertiary volumes may reach a maximum height of nine metres. However, the cumulative length of these volumes shall not exceed half the total length of the building. In both cases, length shall be measured parallel to the adjacent residential boundary.

Refer to Figure 11.6

iii. Side Boundary Interface

- Primary Building Envelope

A stepped profile defines a series of setbacks from the residential boundary. Three metres or more from the side boundary of an adjoining residential property, a building may reach a maximum height of four metres. Nine metres or more from this boundary, a building may reach a maximum height of 6.5 metres. Fifteen metres or more from this boundary, a building may reach a maximum height of nine metres. Twenty metres or more from the boundary, building height is no longer restricted.

- Secondary Building Envelope

Additional building volumes will be permitted above the Primary Envelope but their dimensions will be subject to vertical and horizontal constraints. Between six metres and nine metres from the side boundary of an adjoining residential property, secondary building volumes may reach a maximum height of 6.5 metres. However, the cumulative length of these volumes shall not exceed the greater of twelve metres or two thirds the total length of the building. In both cases, length shall be measured parallel to the adjacent residential boundary.

- Tertiary Building Envelope

Further additional building volumes will be permitted above the Primary Envelope but their dimensions will be subject to vertical and horizontal constraints. Between nine metres and fifteen metres from the side boundary of an adjoining residential property, tertiary building volumes may reach a maximum height of nine metres. However, the cumulative length of these volumes shall not exceed half the total length of the building. In both cases, length shall be measured parallel to the adjacent residential boundary.

Refer to Figure 11.7

Explanation

Council recognises that the interface between residential and non-residential zones is an area of sensitivity, particularly given the potential impact of non-residential development on adjoining residential areas.

In order to mitigate the effects associated with such development, a series of specific controls have been developed which focus on three key residential/non-residential interfaces - street boundaries, side boundaries and rear boundaries.

These controls seek to ensure that new commercial or industrial buildings constructed along these interfaces contribute to the physical character of the area through generally mirroring the characteristic scale and rhythm of neighbouring residential dwellings.

The setback provisions apply only to the affected boundary, not to all boundaries on the site. For example, a building facing a residential site will be subject to the road frontage setback only and a building adjoining a residential zoned site would need to meet either the rear or side boundary requirements

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- iv. Compliance with (i), (ii) and (iii) above is not required in the following circumstances:
 - a. The building is to be utilised for a form of residential activity and the site it is located upon fronts Ngata Street;
 - b. In the situation that residential activities are established on sites fronting Ngata Street as provided for in (ii) below, the maximum height of buildings for other uses is 9 metres to within 11 metres of Ngata Street. This is conditional upon 75% of the length of the side of the building fronting Ngata Street being screened by the aforementioned residential activity.
 - c. For buildings on Lot 1 DP 50865 (125540(new CT ref)), Lot 1 DP 330530 (125540 (new CT ref)) the limitation of secondary and tertiary building envelopes shall not apply.

NOTE TO PLAN USERS

The landscape treatment requirements under R11.9.1.2(ii) apply to the area within the three-metre setback required under this Rule.

ii. Buildings for Residential Use fronting Ngata Street

For a total of 45% of the length of the Ngata Street frontage (zoned Fringe Business) a maximum height of 6.5 metres is permitted. The ridge of a gable, or hip roof, leading edge of a monopitch roof or deck handrails may exceed the maximum height by up to one metre.

For a total of 55% of the length of the Ngata Street frontage (zoned Fringe Business) a maximum building height of 9 metres is permitted.

(c) Separation Distances

- i. Any residential dwelling on a front site shall be located at least 3 metres from the boundary with any road, with the exception that upper level balconies and ground level terraces attached to dwellings may be located not less than 1.8 metres from the boundary. Each of these balconies or terraces should be not more than 6 metres in length. While they might be distributed along any part of the residential building frontage, the parts of the façade in which they are located should not exceed one third of the total frontage width.
- ii. Buildings for Residential Use which are more than 14 metres wide shall contain setbacks not more than 2 metres deep and not less than 3 metres wide at not more than 14 metre intervals along their front façade.

Explanation

Residential dwellings have been provided for in the Fringe Business Zone to assist in the mitigation of potential adverse visual effects on Ngata Street, by screening and providing active frontages to the street. Prior to the rezoning to Fringe Business Zone, the character of Ngata Street was predominantly that of a residential nature. As the eastern side of Ngata Street remains zoned Residential, it is appropriate, in enabling the extent of the Fringe Business Zone to extend to the Ngata Street frontage, that mitigation measures are undertaken to avoid otherwise adverse visual commercial residential interface conflicts. Additional importance has been placed on this particular frontage as opposed to other interfaces throughout the City between a Business zoned site and Residential zoned areas due to the fact that the likely type of buildings established in the Fringe Business Zone is of a relatively large scale which requires additional mitigation measures.

The required variation in the height and frontage setbacks of a residential veneer to Ngata Street are intended to give visual interest as well as a scale relation to residential development across the street. This is by encouraging building volumes with dimensions similar to those of typical residential buildings. Encouraging terraces and balconies within the front yard breaks up large building forms, introduces human scale elements and further emphasises residential character.

(d) Vehicle Parking, Loading and Site 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(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.

In regard to any development involving access across the southern edge of Featherston Street, the number of access points will be restricted to either a single two-way crossing or a pair of entry and egress driveways, with such driveway(s) being located in a position well separated from the Ngata Street intersection and the existing pedestrian crossing, and generally in a position within 30m of the adjoining Outer Business Zone.

(e) Lighting

Any artificial lighting system shall ensure that its use does not result in an added illuminance over and above the measured ambient level, in excess of 8 lux measured in the vertical plane at the windows of any residential building in any residentially zoned site.

(f) Signs

Compliance with R6.1.5.

(g) Outdoor Storage

Any outdoor storage area visible from any site in a residential zone or public area shall be screened from view by either a fence, wall of not less than 1.8m in height or dense planting of vegetation capable of growing to 1.8m in height.

Matters of Discretion

In determining whether to grant consent and what conditions to impose, if any, Council reserves its discretion to an assessment of the extent to which the application meets the objectives and policies of the Fringe Business Zone and the following assessment criteria:

- i. The extent to which the development provides active frontages including entrances and openings facing the edge of all Major Arterial Roads.
- ii. The extent to which the composition and formal articulation of building facades creates visual interest and achieves aesthetic coherence when viewed from the street.
- iii. The extent to which on-site landscaping establishes an attractive appearance and complements public landscaping at or near the street edge and establishes conditions of visual interest and amenity within the development.
- iv. The extent to which growing conditions are provided for, that will ensure the successful establishment, growth and ongoing viability of planting.
- v. The extent to which plant and services (e.g. air conditioning and rubbish storage) and its enclosure is integrated into the building design and otherwise treated to enhance the appearance of the building.
- vi. The extent to which, where a development adjoins or faces a residential zone, or

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creates an entrance to a residential street, then large blank walls are avoided or appropriately screened or architecturally treated.

- vii. The extent to which landscaping of on-site car-parking establishes conditions of visual interest and amenity within the development and its margins.
- viii. The extent to which the development maintains or enhances the quality of environment for pedestrians at the street edge.
- ix. Avoiding, remedying or mitigating the effects of additional traffic generated by activities on the site on the safety and efficiency of the roading network.
- x. The extent to which the development of those areas identified as requiring a Comprehensive Development Plan proceeds in a co-ordinated and integrated manner.
- xi. The extent to which the proposed development ensures the continued water carrying and flood control function of that part of the Kawau Stream that passes through Lot 1 DP 50865 and Lot 1 DP 330530, being 418 to 426 Rangitikei Street, Palmerston North.

Explanation

All Fringe Business Zoned areas are either located on a prominent city entranceway (Rangitikei Street) or adjoin and/or are adjacent to residential zoned areas. Large format retail activities can potentially be bulky, out of scale, detrimental to context and lack visual amenity if developed with rudimentary design input. The aim of the assessment criteria, in terms of the street interface matters, is to achieve a quality streetscape. The purpose of the assessment matters, in terms of the residential interface matters, is to ensure buildings do not visually dominate small-scale residential buildings by articulating their form to achieve a scale transition. Alternatively, where the portion of the building is relatively short, screening with landscape elements to create visual interest and complement adjacent residential buildings and streetscape can be utilised to achieve desirable visual outcomes.

The maintenance of landscaping, especially in the first twelve months, is critical to its actual success. Factors such as irrigation, wind protection and the growing medium are all critical to the successful establishment of landscaping.

The Council needs to ensure that the water carrying capacity and flood control function of that section of the Kawau Stream that flows through Lot 1 DP 50865 and Lot 1 DP 330530, being 418 to 426 Rangitikei Street, is maintained to ensure that any adverse effects on the surrounding land are mitigated.

R11.11.6.2 Residential Centres, Multi-unit Residential Developments, Dwellings and Dwelling Units

The construction, alteration of, addition to and use of buildings and structures is a Restricted Discretionary Activity providing the relevant Performance Standards in R11.11.6.1 are met.

Matters of Discretion

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 Fringe Business Zone objectives and policies, assess any application in terms of the following further policies:

- i. The extent to which the activity is necessary to mitigate the environmental effects of activities situated in the Fringe Business Zone.
- ii. The extent to which the development of residential activity does not adversely affect the availability of land for large format retail purposes.

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- iii. That sufficient parking and on-site manoeuvring is provided to service the needs of residents and visitors.
- iv. The extent to which buildings for residential use are insulated from noise generated by other activities to ensure that an acceptable level of residential amenity will be achieved.

R11.11.6.3 Non Notification

- i. Such applications (R11.11.6.1 & R11.11.6.2) need not be publicly notified.
- ii. Notice of applications for Restricted Discretionary Activities (R11.11.6.1 & R11.11.6.2) need not be served on any persons who, in the Council's opinion may be adversely affected by the activity.

R11.11.6.4 Retail Activities which do not comply with the Merchandising Area Performance Condition

Retail Activity which does not comply with the Permitted Performance Condition relating to Merchandising Area but does comply with the following performance standards is a Restricted Discretionary Activity:

Performance Standards

- i. Any retail activity, which is not part of a Multiple Retail Development, must have a minimum Merchandising Area of 800m².
- ii. The average Merchandising Area per retail activity within a Multiple Retail Development must be no less than 1,200m² unless all of the individual retail activities within the Multiple Retail Development individually exceed 600m² in which case the minimum average Merchandising Area must be no less than 1,000m².
- iii. Compliance with the Performance Standards specified in R11.11.5.1 except for R11.11.5.1(a).

Matters of Discretion

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 Fringe Business Zone objectives and policies, assess any application in terms of the following further policies:

- i. The extent to which adverse distributional effects (including cumulative) of such activities on the vibrancy and viability of the CBD are avoided.
- ii. The extent to which the avoidance, remediation or mitigation of the effects of additional traffic on the site on the safety and efficiency of the network are achieved; and
- iii. The extent to which adequate provision is made for parking, access and manoeuvring areas.

R11.11.6.5 Activities and Buildings which do not comply with the Permitted Performance Standards

Activities and Buildings which do not comply with the Permitted Performance Standards (in R11.11.5.1) in relation to:

- (i) Lighting
- (ii) Loading and access
- (iii) Vehicle Parking

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(iv) Servicing and Loading Hours

(v) Building Height.

are Restricted Discretionary Activities with regard to:

- Design and appearance
- The safe and efficient operation of the roading network
- Effects on adjoining residential areas
- The provision of car parking
- The extent to which the additional height will adversely affect the amenity values of adjoining sites
- Those matters of discretion identified in R11.11.6.1 and/or R11.11.6.4.

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 Fringe Business Zone objectives and policies, assess any application in terms of the following further policies and against the matters of discretion identified in R11.11.6.1 or R11.11.6.4:

(i) Lighting

- a. To avoid, remedy or mitigate the effects of the overspill of light onto adjacent residentially zoned properties.
- b. To avoid, remedy or mitigate the effects of the overspill of lighting through the use of planting, screening or orientation of light sources.
- c. To take into account the influence of topography and other site features in mitigating the effects of light overspill.

(ii) Loading and Access

- a. To avoid, remedy or mitigate the effects of the deficiency in loading and access facilities on the safe and efficient operation of the roading network.
- b. To ensure that other safe and efficient facilities are available to meet the predicted loading or access requirement.
- c. To avoid, remedy or mitigate the effects in loading or access facilities on the ambience and amenity values, in particular residential areas.

(iii) Vehicle Parking

- a. To avoid, remedy or mitigate the effects of the deficiency in parking spaces on the safe and efficient operation of the roading network.
- b. To ensure that other safe and efficient facilities are available to meet the predicted parking requirement.
- c. To avoid, remedy or mitigate the effects of the deficiency in parking spaces on the ambience and amenity values, in particular residential areas.

Explanation

The provision of adequate parking, loading and access provisions are essential in the Fringe Business Zone to ensure that activities can operate within the zone with the minimum of disturbance from overspill parking or vehicles manoeuvring on the road. In particular it is important to ensure that where adequate provision cannot be made on site that overspill parking does not intrude into residential areas.

(iv) Activities which do not comply with the Servicing and Loading Provisions of R11.11.5.1(h)

- a. To avoid, remedy or mitigate the adverse effects of noise and general disturbance created by the activity, on any adjoining or adjacent residentially zoned land.
- b. To avoid, remedy or mitigate the disturbance to residentially zoned properties from the movement of vehicles to and from the site and within the site itself.
- c. To limit operating hours to ensure that any disturbance to residentially zoned properties is avoided, remedied or mitigated.

Explanation

Movements on industrial sites which occur outside the specified hours have the potential to cause considerable disturbance to adjoining residential areas. Where the operational requirements of an activity require late night or early morning services, a careful assessment must be made to ensure any adverse effects can be mitigated.

NOTE TO PLAN USERS

Where a proposal falls under R11.11.6.1 and/or R11.11.6.4 but does not comply with the particular Performance Standards identified above, then as well as assessing the non-compliance with the Performance Condition, the Council will also assess any application against the matters of discretion identified in the aforementioned rules.

11.11.7 RULES: DISCRETIONARY ACTIVITIES

R11.11.7.1 Retail Activities which do not comply with the Merchandising Area Performance Standards for either Permitted or Restricted Discretionary Activities

Retail Activity which does not comply with the Permitted Performance Condition relating to Merchandising Area for either Permitted or Restricted Discretionary Activities, but where the Merchandising Area is proposed to comply with the following, is a Discretionary Activity:

- i. Any retail activity, which is not part of a Multiple Retail Development, must have a minimum Merchandising Area of 600m².
- ii. The average Merchandising Area per retail activity within a Multiple Retail Development must be no less than 900m² unless all of the individual retail activities within the Multiple Retail Development individually exceed 450m² in which case the minimum average Merchandising Area must be no less than 750m².

R11.11.7.2 Existing Industrial Activities

Additions and alterations to existing Industrial Activities, which have been established prior to 20 March 2008, excluding offensive activities, are Discretionary Activities.

Explanation

The Fringe Business Zone has been established to provide for primarily large format retailing activities. It is however recognised that this is a transitional use zone and that at time of the establishment of the Fringe Business Zone that there are some existing Industrial activities operating particularly within that area bound by Rangitikei Street, Tremaine Avenue and North Street. The continued operation of these activities are protected either by resource consent or Existing Use Rights as per Section 10 of the Resource Management Act 1991.

The Council does not wish to discourage the continued operation of these existing Industrial activities, but at the same time the change of zoning is providing a strategic direction for the ultimate future use of the land. It is therefore identified that additions and alterations to existing industrial activities already established in the Fringe Business Zone should be assessed by way of resource consent to assess their effects on the environment.

R11.11.7.3 Any Activity or Construction, Reconstruction or Alteration of Buildings or Structures not provided for by R11.11.5.1, R11.11.6.1, R11.11.7.2 or R11.11.8.1.

Any activity or the construction, reconstruction or alteration of any building or structure which is not provided for by R11.11.5.1, R11.11.6, R11.11.7.2 or R11.11.8.1 is a Discretionary Activity.

11.11.8 RULES: NON-COMPLYING ACTIVITIES

R11.11.8.1 Retail Activities

Those retail activities which do not comply with the Minimum Merchandising Area requirements for Permitted, Restricted Discretionary or Discretionary Activities are Non-Complying Activities

Explanation

Retail activities which do not comply with the Minimum Merchandising Area requirements may create adverse distributional effects on the core CBD. Such activities may also result in a reduced availability of land for the establishment of large format retailing activities which is the primary reason for the establishment of the Fringe Business Zone.

R11.11.8.2 Offensive Activities

Offensive Activities are Non-Complying Activities.

Explanation

Offensive activities have a range of potential effects that could adversely affect the amenity qualities of the Fringe Business Zone. The application of Non-Complying Activity status to these activities will ensure that any Offensive Activity has to demonstrate that it can satisfy the requirements of Sections 104 and 104D of the Resource Management Act 1991 prior to any approval being granted.

11.11.9 RULES: NOISE

R11.11.9.1 Noise

This rule is referred to in Performance Standards for activities within the Zone. Activities to which this rule applies must meet the noise limits set out below.

(a) Noise

- i. Noise from any activity within the Fringe Business Zone must not exceed the following limits at any point within any other site within the Fringe and Outer Business Zones:

At any time	65 dB LAeq(15mins)
Daily 11:00pm to 7:00am the following day	90dBA L _{max}
- ii. Noise from any activity must not exceed the following limits at any point within any site zoned for residential purposes:

7:00am to 7:00pm	55 dB LAeq(15mins)
7:00pm to 10:00pm	50 dB LAeq(15mins)
10:00pm to 7:00am	45 dB LAeq(15mins)
10:00pm to 7:00am (Nighttime L _{max})	75 dBA L _{max}
- iii. Where it is impracticable to measure outside a building, the noise from any activity within the Fringe Business Zone must not exceed the following limits, inside any

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residential units in any building on any other site within the Fringe or Outer Business Zones:

Bedrooms 10:00pm to 7:00am the following day 35 dB L_{Aeq}(15mins)

Bedrooms 10:00pm to 7:00am the following day 55 dBA L_{max}

Other habitable rooms 40 dB L_{Aeq}(15mins)

This must not allow any relaxation in the noise limits in (i), and (ii) of R11.11.9.1.

Explanation

The noise rules within the Fringe Business Zone are designed to allow activities to make moderate noise while still providing a reasonable level of control to residential activities in the area. Where noise sensitive uses (including residential activities) are proposed for the Fringe Business Zone it is the responsibility of the designer, developer, owner and user to ensure that buildings are appropriately insulated against higher levels of noise that are allowed. Residents in the Fringe Business Zone must accept that some adverse noise impacts will be experienced from time to time. In this regard, it is important that residential development in the Fringe Business Zone does not compromise the effective development and operation of business activities.

(b) Noise Insulation

Any habitable room in a building used by a noise sensitive activity within the Fringe Business Zone must be protected from noise arising from outside the building by ensuring the external sound insulation level* achieves the following minimum performance standard:

$$D_{nT,w} + C_{tr} > 30 \text{ dB}$$

Compliance with this performance standard must be achieved by ensuring habitable rooms are designed and constructed in a manner that accords with an acoustic design certificate signed by a suitably qualified acoustic engineer stating the design as proposed will achieve compliance with the above performance standard.

Explanation

Acoustic insulation is required for noise sensitive activities in buildings within the Fringe Business Zone to mitigate the potential adverse effects on such uses and to lessen the potential for constraint that such uses can place on typical business or commercial activities commonly associated with the zone.

(c) Ventilation

Compliance with R11.6.6.1(c).

(d) Fixed Plant

Compliance with R11.6.6.1(e).

**FIGURE 11.5
BUSINESS AND INDUSTRIAL ZONE HEIGHT AND SETBACK ENVELOPES
STREET INTERFACE**

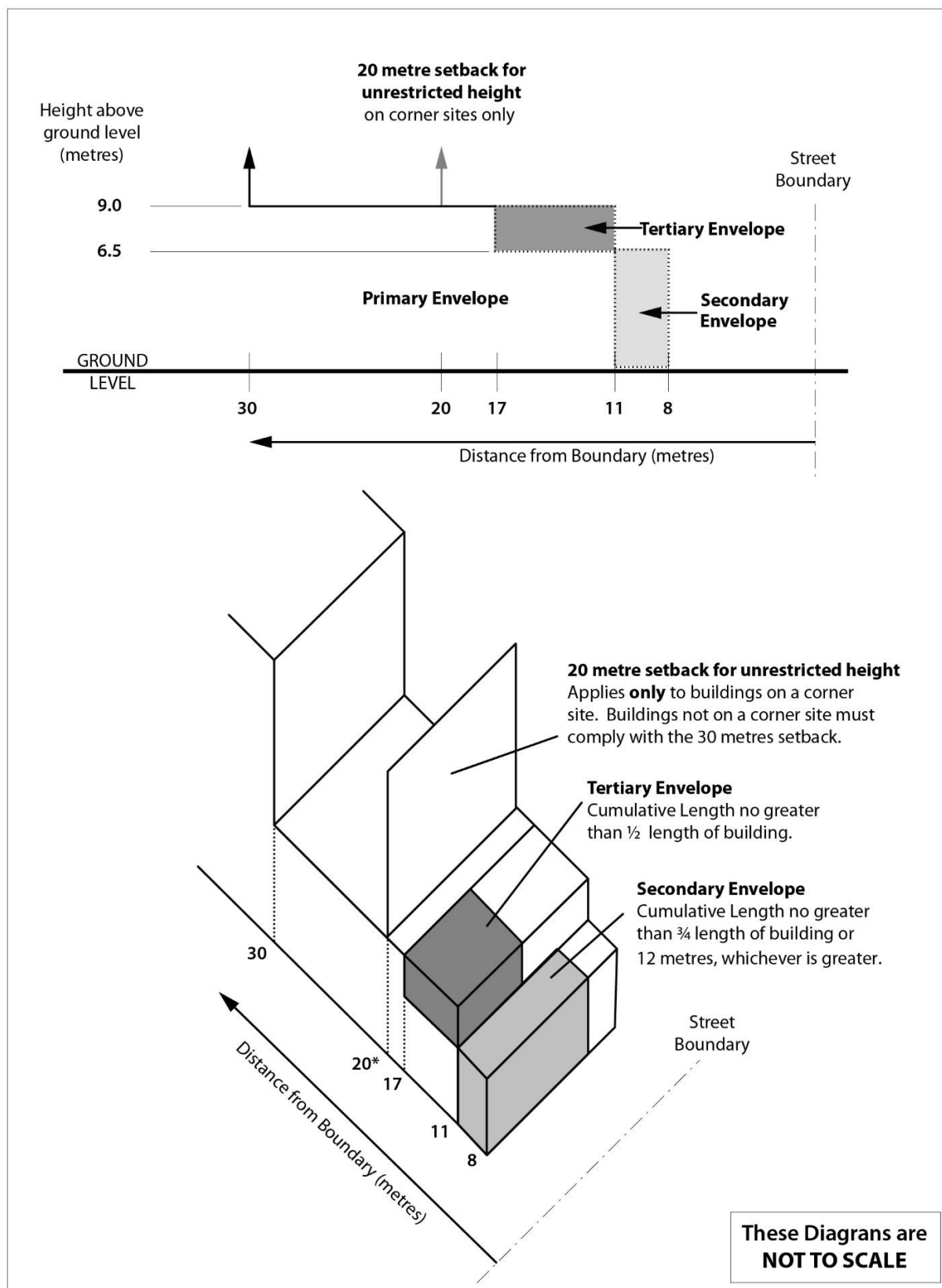


FIGURE 11.6
BUSINESS AND INDUSTRIAL ZONE HEIGHT AND SETBACK ENVELOPES
REAR BOUNDARY INTERFACE

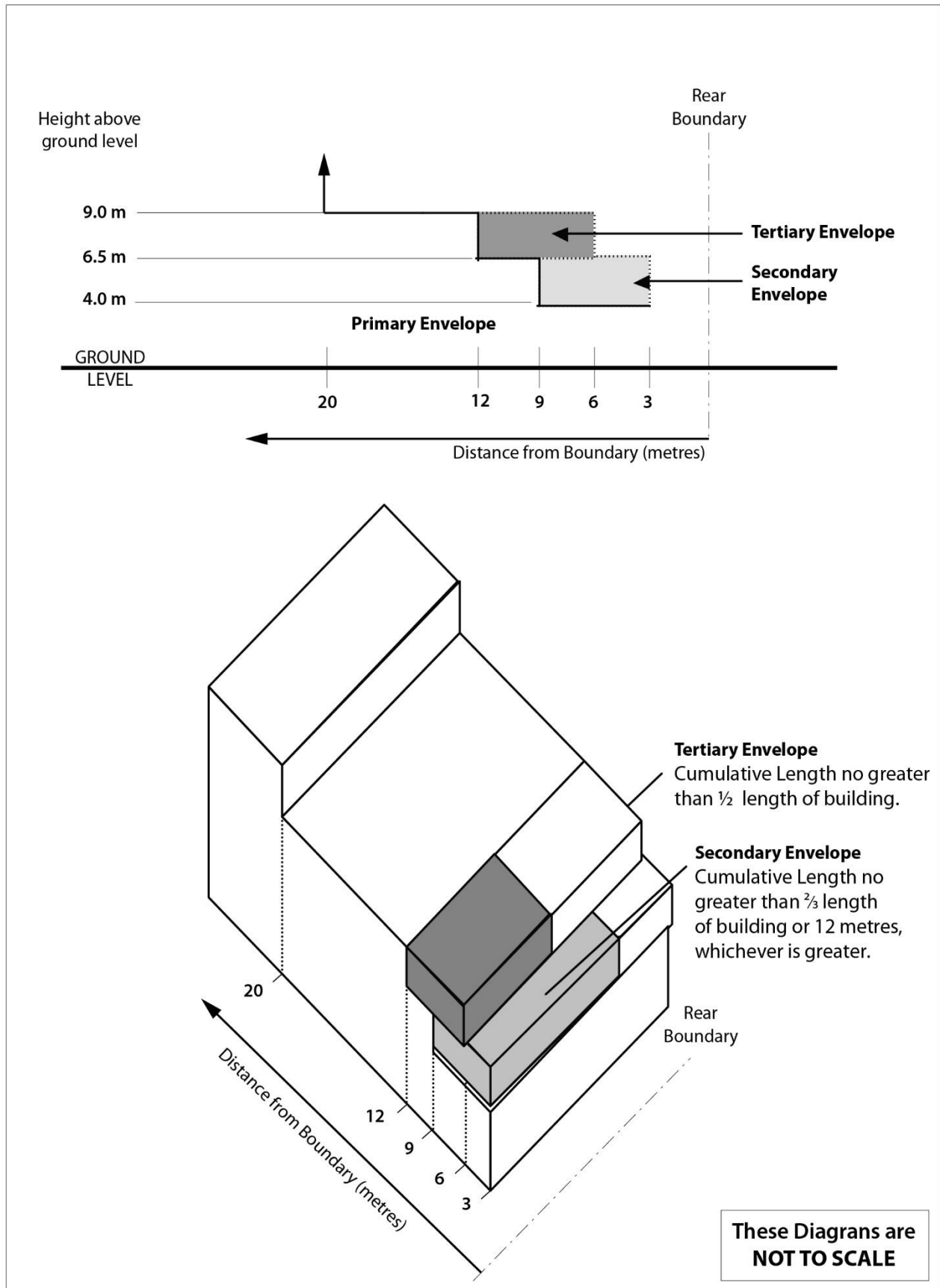


Figure 11.6 Height and Setback Envelopes Rear Boundary Interface

FIGURE 11.7
BUSINESS AND INDUSTRIAL ZONE HEIGHT AND SETBACK ENVELOPES
SIDE BOUNDARY INTERFACE

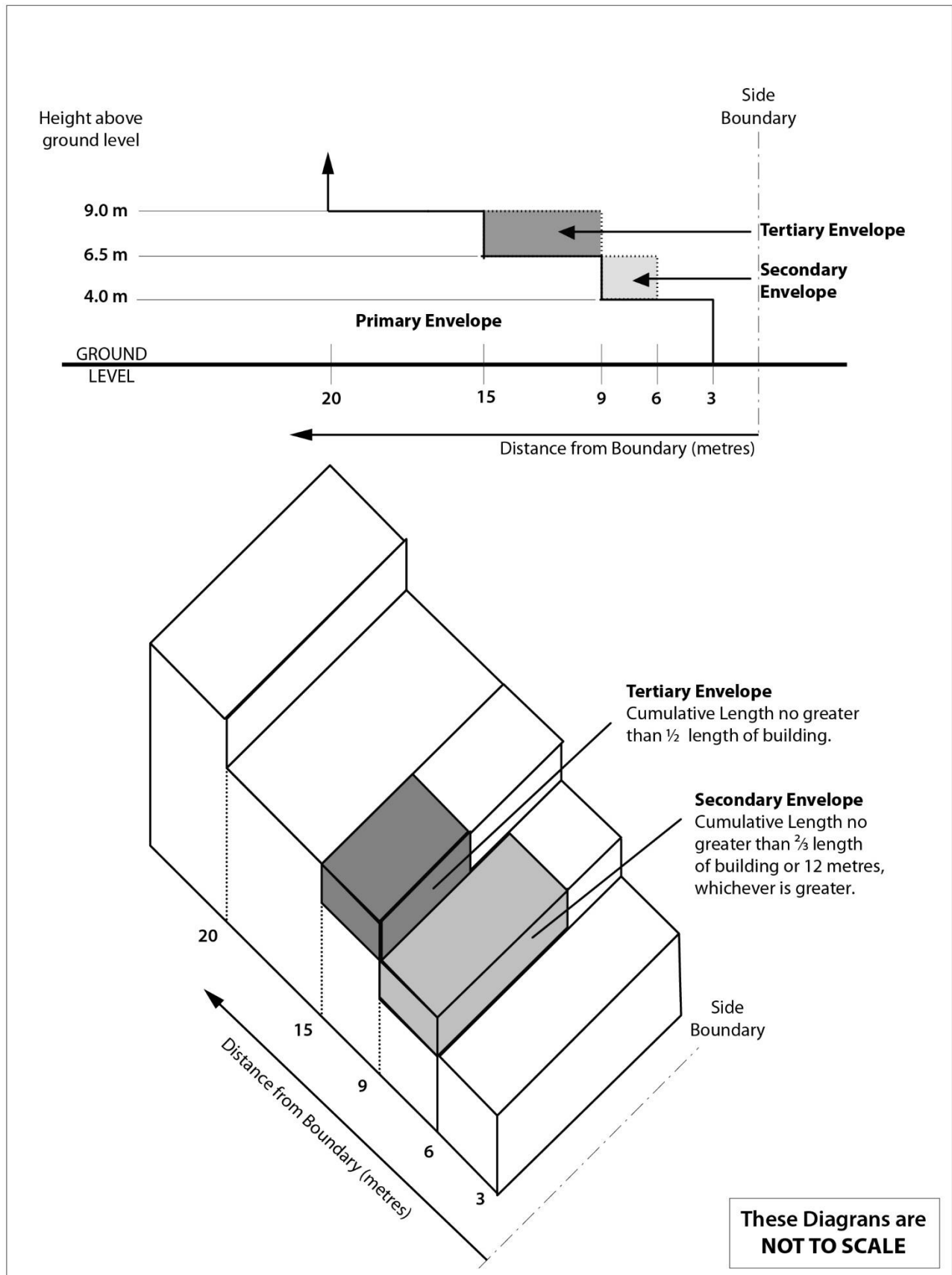


Figure 11.7 Height and Setback Envelopes Side Boundary Interface

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15. RECREATION

15.1 Introduction

Recreation is important for many residents living in Palmerston North. It is a significant contributor to the quality of life and level of physical, social and cultural well-being that people within the City experience.

Currently, recreation reserves within the City offer a wide range of recreation opportunities (e.g., walking and organised sports) and encompass a variety of environments, extending from multi-purpose recreational facilities such as the Arena, through to neighbourhood parks and playing fields to the extensive walkways system. These reserves give life to the City by adding to its diversity and interest, while the recreational and cultural facilities located on them are valuable in attracting residents and visitors alike. Areas such as the Victoria Esplanade, Ashhurst Domain and Bledisloe Park, also have important local amenity and/or conservation values which in turn contribute to the quality and variety of recreation experience that can be enjoyed in the City.

The Council recognises that in addition to its responsibilities under the Resource Management Act 1991, many of the City's recreation reserves are managed through the Reserves Act 1977 and that there is a need to recognise each legislative framework to achieve integrated management.

The classification, management and administration of reserves is undertaken under Part IIA of the Reserves Act 1977. This Act requires that reserves be classified according to their principal or primary purpose and that management plans be developed. Such reserves must be administered and maintained in accordance with the purpose for which they are classified (for example, recreation, historic and local purpose) – Council has prepared some reserve management plans for key City-wide reserves and is working towards developing further plans. These provide policy direction for Council's reserves and acknowledge the District Plan zoning and policy framework to achieve integrated management. Corresponding priorities for reserve development are a feature of reserve management plans.

The effects of activities occurring within recreation reserves have the potential to adversely affect the features and values of those reserves, and to potentially adversely affect adjacent properties. The Council has an important role through this Plan's provisions, to ensure the development of recreation resources are consistent with the values of the land and is compatible with adjoining activities.

Given the variety of recreation areas within the City five distinct zones have been identified to manage activities and their effects in the District.

When reviewing activities within each of the recreation zones it is also important to review the provisions in Section 17 as those provisions also apply to the following zones.

15.2 The Recreation Zones

15.2.1 RECREATION ZONE

The Recreation Zone provides for a wide range of community and leisure activities and covers the majority of recreation and public space within the City – serving both City-wide and local needs. The Zone includes areas set aside for informal or casual recreation such as playgrounds on neighbourhood parks, (e.g. Milverton Park), areas for organised sports, (e.g. Ongley Park and Bill Brown Park), and large scale multi-purpose parks and civic places such as The Square, the Victoria Esplanade and Memorial Park.

Although the primary function of the Zone is to provide for active sport, and recreation and community activities, some open spaces also display important conservation and visual amenity values. Examples here include parts of the Ashhurst Domain and the Victoria Esplanade.

The Recreation Zone also includes golf courses (Manawatu Golf Club and Palmerston North) and cemeteries.

15.2.2 THE CONSERVATION AND AMENITY ZONE

The Conservation and Amenity Zone covers those natural areas which have been identified as having high natural values or amenity values and which are generally in Council and Department of Conservation ownership or protected through legal means such as covenants. The Zone includes areas of significant indigenous flora and fauna and important natural and scenic areas. Examples of parks and reserves in the Zone are Bledisloe Park, McCrae's Bush in Ashhurst, part of the Manawatu Gorge Scenic Reserve and Keeble's Bush near Linton. Outdoor recreation such as walking, tramping and mountain-biking feature in these areas. Some areas such as Esplanade reserves also have an important role as ecological links and 'green corridors'.

Council seeks to recognise and protect the values of these areas by restricting the range of activities and associated development permitted within the zone. The protection of the features and qualities of such high value environments provide significant benefits to the City as they constitute an integral component which contributes to the diversity of the City's recreation environment, enhance biodiversity as well as contributing to its visual and amenity character.

The Conservation and Amenity Zone also includes most of the City's walkway system which performs a unique function through providing areas for walking and by acting as a link to other open space areas. Walking is a popular recreational pastime that has minimal potential to affect the environment.

15.2.3 WATER RECREATION ZONE

Section 31(e) of the Resource Management Act 1991 requires territorial authorities to control the actual or potential effects of activities in relation to the surface of water in rivers and lakes. To fulfil this requirement the Water Recreation Zone has been developed.

The Water Recreation Zone covers the freshwater surface areas of the Manawatu and Pohangina Rivers, the Hokowhitu Lagoon, and parts of, the Turitea and Kahuterawa Streams located within the Palmerston North City boundary. This Zone is characterised by the natural character of these waterbodies although man-made structures such as bridges, river protection works including groynes and dams modify this character in some areas.

The Water Recreation Zone provides for a limited range of water-related recreation activities on the surface of these waterbodies. Although the Council seeks to recognise this area as a recreation resource, the only effects which have been identified from that use are noise effects.

Horizons Regional Council also manages fresh water within the City boundaries through the Water Chapter in the One Plan. Horizons Regional Council operates the Manawatu River and Tributaries Navigation and Safety Bylaw 2010. This bylaw is made in accordance with the Local Government Act 1974 and must be read in conjunction with Maritime Rule Part 91 – Navigation Safety Rules.

15.2.4 RACECOURSE ZONE

The Racecourse Zone covers the existing Awapuni Racecourse property at Awapuni and the Manawatu Harness Racing Club site on Pioneer Highway.

The Awapuni Racecourse, on Racecourse and Totara Roads, and the Manawatu Harness

Racing Club on Pioneer Highway are the focal points for the racing industry in the Manawatu. The Awapuni Racecourse was developed in 1903 and today represents a multi-purpose facility that caters for the specific needs of the racing industry as well as a major function centre.

The Manawatu Harness Racing Club has existed on its present site since 1962. Both the Racecourse and Harness Racing Club lie adjacent to residential areas which have developed around these courses.

Both racing clubs and their respective industry functions make a valuable contribution to the social, cultural and economic well-being of the City and region. The Racecourse site is used for race meetings and race training and is the administrative headquarters for the Manawatu Racing Club. The course's open areas and buildings represent a significant investment in, and contribution to the racing industry in the Manawatu. It also acts as an important recreation, entertainment and leisure facility for the region.

The Manawatu Harness Racing Club has its administrative headquarters on Pioneer Highway. This site is actively used for trotting, greyhound racing and race training. Facilities on the site include the racetrack, grandstand, race training facilities, and a functions venue. The site covers an area of 20 hectares and is increasingly popular as a venue for large outdoor gatherings e.g., swap meets and rallies.

The primary function of the Racecourse Zone is to recognise the two sites' multiple functions as racecourse, race training facilities and as sites for a variety of recreational, entertainment and leisure activities. It also recognises a number of activities which have historically established on both sites.

15.2.5 ARENA ZONE

The Arena Complex is a unique, centrally located recreation and leisure facility accommodating a wide range of activities ranging from national and international sporting fixtures, a range of other shows, trade exhibitions and conventions. The Council maintains and manages the Arena.

The site contains a large array of facilities including stadiums, pavilions, the Grandstand and Oval, community halls, sports fields, a speedway track, administration offices and parking areas. Collectively these facilities comprise over 20 venues and are frequently used for local and regional activities. The Arena thus represents a significant recreation and leisure asset to the City and the region, and makes a major contribution towards the social, cultural and economic well-being of the community.

In the past, the Arena has had its own special purpose Zone which ensured and secured the use of the complex for a wide and diverse range of activities. The Council considers that this is still an appropriate approach.

15.3 Resource Management Issues

The following resource management issues have been identified as arising from activities associated with the use of the Recreation, Conservation and Amenity, Racecourse, Water Recreation, and Arena Zones:

1. The sustainable management and maintenance of the City's recreation parks and reserves to effectively meet the needs of all residents.
2. Accommodation of a wide and diverse range of community and leisure recreation activities and recreational environments.
3. The need to provide adequate open space to satisfy the recreation and amenity needs of residents.

4. The potential adverse effects of recreation, community and leisure activities and/or development on recreational amenity values and/or neighbouring residential areas.
5. The need to protect **and restore** areas of high amenity, indigenous biodiversity, ecological and conservation value from inappropriate development.
6. Public access to the City's rivers, lakes and streams and water-related recreation opportunities.
7. Managing the adverse effects of water-based recreation activities on the surface of water.
8. Managing the adverse effects arising from the further development of the Arena or the racecourses.
9. 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 that the efficient operation of the airport can continue.

Explanation

The City's network of recreation reserves and open space make an important contribution to the City's social and economic welfare. Significant public and private investment exists in the form of buildings, structures and amenity facilities located within the Recreation Zones. Council recognises that it has an important responsibility as steward of these resources to ensure the efficient management, use and development of existing recreation resources, including land, buildings and infrastructure.

The District Plan identifies five recreation zones which distinguish recreation areas by their predominant function and values. By adopting these distinctions, Council considers that it will be able to respond to changing recreational trends and community needs and the development of an appropriate mix of recreation activities, recreational environments and supporting facilities. The recreation areas within the City are predominantly located in or adjacent to established residential areas. The interface between these two areas is particularly sensitive as the effects associated with recreation activities and ancillary activities can adversely impact on the use and enjoyment of residential properties and the amenity values of residential neighbourhoods.

The Council seeks to recognise and protect specific areas in the Conservation and Amenity Zone as having intrinsic natural, scientific or conservation values which are in public and private ownership. The protection of the features and qualities of such high value environments, which is required under Section 6(a) and 6(b) of the Resource Management Act 1991, provides significant benefits to the City as they constitute an integral yet diverse component of the City's recreational and natural environment as well as contributing to its visual and amenity character.

The protection of the natural character of wetlands, waterbodies and their margins and the maintenance and enhancement of public access to such areas are recognised as matters of national importance under Sections 6(a) and 6(d) of the Resource Management Act 1991. With regard to the waterbodies themselves, the Council's responsibility is confined to controlling activities on the surface of the water in areas zoned for 'Water recreation' and this focuses its concerns on the noise effects of recreational activities.

The One Plan also recognises the need to manage the water quality of these water bodies and to recognise their ecological significance. The Act gives the primary responsibility for management of this matter to the Manawatu-Wanganui Regional Council. The One Plan also provides for the protection of Horizons flood and erosion protection assets by requiring consent for certain activities undertaken near these assets, where they have the potential to adversely affect the asset's integrity or function.

Multi-purpose recreation and leisure facilities such as the Arena, the Awapuni Racecourse and the Manawatu Harness Racing Club provide for a wide range of recreation and leisure opportunities within large scale integrated complexes. These complexes are highly valued by the community and add to the social, cultural and economic wellbeing of residents. Equally, the Council recognises the need to reconcile the unique role of these complexes, their operational requirements and/or the future development expectations of the respective administering bodies together with the need to protect, particularly, the amenity of adjoining residential properties.

15.4 Recreation Zone

15.4.1 OBJECTIVES AND POLICIES

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

OBJECTIVE 1

To enable the effective and efficient use and development of the open space resource within the Recreation Zone.

POLICIES

- 1.1 To recognise and provide for a wide range of recreational and associated ancillary activities.
- 1.2 To ensure that open space areas are managed to cater for both local and city-wide recreation and leisure needs.
- 1.3 To provide for the flood control and maintenance works, of the Manawatu-Wanganui Regional Council or the Palmerston North City Council.
- 1.4 To provide for temporary military training activities.
- 1.5 To manage the development of buildings to maintain the open space amenity of the Zone in order for them to meet the community's recreation and leisure needs.
- 1.6 To recognise for some public spaces that temporary community activities are anticipated as part of the civic life of the city.

Explanation

Recreation Zones are located throughout the City to meet the recreation, amenity and open space needs of residents. Significant public and private investment exists in the form of buildings, infrastructure and amenity facilities located on developed recreation land. The Council seeks to ensure that these recreational resources are developed appropriately to meet local and community recreation needs.

Many of the larger recreation spaces within the City, particularly The Square and Victoria Esplanade host short term or temporary events for the whole community to enjoy. For example, the Christmas in The Square, New Year's Eve celebrations, Massey University graduations and concerts in the park. These are an important contributor to our civic life and enjoyment in the City and should be recognised.

OBJECTIVE 2

To protect the amenity values of adjacent residential areas and within the Recreation Zone.

POLICIES

- 2.1 To manage the impact of building development and/or redevelopment, structures and signs which either front onto, or are adjacent to, a Residential Zone.
- 2.2 To avoid, remedy or mitigate the adverse effects of recreation activities and ancillary activities on neighbouring residential areas.
- 2.3 To avoid, remedy or mitigate the adverse effects of recreation activities and ancillary activities on the amenity values within the recreation zone.

Explanation

Recreation activities and buildings have the potential to generate impacts beyond the Zone boundary due to their size, intensity and scale. The Council seeks to ensure that sufficient safeguards

are in place to minimise the effects of recreation activities on the amenities of neighbouring residential areas and within the Recreation Zone itself. The range of effects identified include the impact of new development on the amenity of adjacent residential areas through rules related to noise, signs, storage, and parking provision.

OBJECTIVE 3

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

- 3.1 To mitigate the adverse effects of aircraft noise on any building to be used for noise sensitive activities in the Inner and Outer Control Contours by specifying appropriate insulation standards.

Explanation

The operation of a modern airport gives rise to a range of sound emissions relating mainly to aircraft operations. These sound emissions may adversely affect surrounding noise sensitive activities such as community halls and other such venues where communal activities are undertaken.

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 amenity, Council has introduced controls to mitigate the adverse effects of operational noise on noise sensitive activities in the Recreation Zone. The 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 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.

15.4.2 METHODS

- District Plan Rules (Palmerston North City Council)
- Reserve Management Plans (Reserves Act 1977)
- Council's powers as Landowner and Lessor
- Long Term Plan/Annual Plan Projects
- Development Plans
- Sport and recreation Planning Framework
- Asset Management Plans

The objectives and policies for this zone will be achieved through the use of a variety of methods described above. The methods identified give Council the opportunity through rules to control the scale, nature and effects of activities while achieving enhanced amenity values and appropriate types and styles of development through its land-owning role, capital and maintenance programmes and through reserve management plans.

This combination of methods provides an effective and often low cost (to the community) method of achieving the environmental outcomes encapsulated in the objectives and policies.

15.4.3 RULES: PERMITTED ACTIVITIES

R15.4.3.1 Community and Leisure Activities and Associated Ancillary Activities

Community and leisure activities and associated ancillary activities are Permitted Activities

Palmerston North City Council District Plan
provided the following performance standards are complied with:

Performance Standards

(a) Lighting

- i. Any artificial lighting system shall ensure that its use does not result in an added illuminance, over and above the measured ambient level, in excess of 8 lux measured in the vertical plane at the windows of any residential building on any residentially zoned site.

Explanation

The lighting rules are designed to avoid the spill of light and glare from recreation reserves onto residentially zoned properties and to ensure that the amenities of residents in adjoining areas are reasonably protected.

(b) Signs

Compliance with R6.1.5.

(c) Size of associated retail activity

- i. The maximum gross floor area per park or reserve, inclusive of any work room or storage area, is 50m².

Explanation

Council recognises that the limited provision of retail facilities catering for the refreshment needs and convenience of park users can add to the amenity value of recreation reserves. However, Council does not wish to encourage the establishment of large retailing facilities which could affect the character, use and development of recreation reserves and potentially undermine retailing activities within the City's identified business areas.

(d) Hazardous Substances

Compliance with the provisions of Section 14 Hazardous Substances.

(e) Hours of Operation

Any activity shall not operate outside the following hours of operation:

- i. Between 7:00am and 10:30pm
(Monday to Thursday inclusive and Sundays).
- ii. Between 7:00am and 12:00 midnight
(Friday and Saturday).

Explanation

Controls on the operating hours of recreation and ancillary activities ensures that the use of these activities is in keeping with neighbouring environments and does not adversely affect the character and amenity values of neighbouring residential environments.

R15.4.3.2 Community and Leisure Facilities

Community, and leisure facilities are Permitted Activities provided that they comply with the following performance standards:

Performance Standards

(a) Height

- i. Compliance with R10.6.1.1(a).
- ii. Marquees, tents and stages erected for less than one week for community events are exempt from this standard.

Explanation

The height of a building or structure may affect the overall amenity of a reserve and surrounding properties located within reasonable proximity to that building. The height performance standard provides a means to address effects attributable to the height of a building including overshadowing, privacy, loss of daylight etc. The Council considers the residential height performance standard to be the appropriate standard due to the predominantly residential location of recreation reserves.

(b) Building Size

- i. No buildings will be permitted on a site having a net site area of less than 2500m².
- ii. On Lot 1 DP 78518 (being the Railway Land East site) only one building having a maximum floor area no greater than 50m² will be permitted in addition to any buildings constructed prior to 31st March 2006.
- iii. The proportion of any site covered by buildings shall not exceed 2% for the following areas:
 - a. Victoria Esplanade
 - b. Memorial Park
 - c. The Square
 - d. Ashhurst Domain
- iv. On all other sites over 2500m² on net site area within the Recreation Zone, the proportion of any site covered by buildings shall not exceed 1%.
- v. Children's play equipment, sculptures, toilet blocks and shade structures are exempt from the provisions of R15.4.3.2(b) (i), (ii), (iii) and (iv).
- vi. Marquees, tents and stages erected for less than one week for community events are exempt from this standard.

Explanation

An important aspect of the Recreation Zone is the open space character and the visual and recreation amenity that it provides. Provision is made for development directly associated with recreation activities to support the use and enjoyment of recreation areas for formal and informal recreation e.g., clubrooms, changing sheds and toilets, and storage sheds. The building size performance standard limits the number, size and types of buildings that can be constructed on these areas to ensure that the physical bulk of development is compatible with the area's primary purpose and its size. This is on the premise that larger reserve areas can support larger and more building development. This rule is also intended to minimise detrimental effects on the amenity of recreational areas and that of adjoining properties.

Children's play equipment, toilet blocks and shade structures are all important aspects of the use of recreation spaces in the City. Shade structures with 1 or more walls are considered to be a building and are subject to the building size restrictions.

(c) Separation Distances

i.

Gross Floor Area of Principal Building	Minimum Separation	Minimum Separation Distance from Road
Up to 250m ²	3m	6m
251m ² – 500m ²	3m	8m
501m ² – 750m ²	3m	10m

- ii. Ancillary buildings shall be located a minimum of 3 metres from any road boundary and a minimum of 6 metres from all other boundaries.

Explanation

Buildings and structures in the Recreation Zone have the potential to affect open space amenity and the use and enjoyment of adjoining properties if they are inappropriately located. Effects may include the loss of privacy, overshadowing, and/or noise generated by a building's use. Separation distances are used to ensure that buildings and structures are suitably located to avoid adverse effects. A greater setback is required for example, for principal buildings than for ancillary buildings because of their size and scale, and nature of activities that occur within them.

(d) Parking and Access

Compliance with Rules:

- 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.

Explanation

Careful consideration should be given to the volume of traffic which may be generated by activities taking place within a particular building or at a particular park or reserve. Recreation, community and leisure activities frequently give rise to short and intense demand for parking which is unrealistic to provide on the site if the recreational and open space character of the Zone is to be preserved. This has been balanced against the need to ensure that adjoining residential neighbours do not suffer undue inconvenience from overspill parking.

(e) Outdoor Storage

Any area used for the outdoor storage of goods, products, equipment, materials or waste which can be viewed from adjacent residential areas or a public road shall be screened either by a fence of not less than 1.8 metres in height or planting of trees and vegetation capable of growing to 1.8 metres in height. This shall not exclude the provision of gates or other access points.

Explanation

Outdoor storage areas, and particularly those used for the storage of waste, can detract from the visual amenity and pleasantness of neighbouring residential properties and road users. Screening of such areas should ensure that the standard of amenity experienced in this zone and in neighbouring residential areas is not detrimentally affected.

(f) Hazardous Substances

Compliance with the provisions of Section 14 - Hazardous Substances.

(g) Air Noise Control

Compliance with R10.6.1.1(h).

NOTE TO PLAN USERS

Proposals that do not meet the above provisions are provided for a Non-Complying Activity under R15.4.8.

Explanation

As the operational noise emitted by aircraft at the Palmerston North Airport can be intrusive, any new building, or addition to an existing building, which is located in the vicinity of the airport and intended for communal activities will be required to provide an appropriate level of noise insulation. In order to ensure that responsibility for mitigation of this operational noise does not rest solely with property owners, specific noise mitigation requirements have also imposed on operations within the Airport Zone (See R13.4.6).

One Plan Rule 17-15 requires resource consent for activities on stopbanks and on land between artificial waterways or the bed of a river, and 8 metres inland of the landward toe of the stopbank where such activities may affect the integrity and function of the City's flood protection. It is recommended that anyone proposing to carry out any activity on a property that contains or is adjacent to a flood protection asset first contact the Manawatu-Wanganui Regional Council for advice regarding any consent requirements.

R15.4.3.3 Maintenance of the Flood Protection Works of the Manawatu-Wanganui Regional Council

Maintenance of the Flood Protection Works of the Manawatu-Wanganui Regional Council is a Permitted Activity.

Explanation

Small parts of the Recreation Zone, particularly in the vicinity of Ongley Park and the Esplanade, also accommodate stopbanks and works associated with the flood control works of the Lower Manawatu Scheme. It is important that these works are maintained, and given the lack of effects of their maintenance, they can be treated as Permitted Activities.

R15.4.3.4 Minor Temporary Military Training Activities

Minor Temporary Military Training Activities (excluding live firing of weapons, firing of blank ammunition, single or multiple explosive events) are Permitted Activities 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 performance standards (a), (c), and (e) of R15.4.3.2.
- ii. Any buildings erected in association with the Temporary Military Training Activity must be removed at the conclusion of the activity.

(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 provisions 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 the following noise limits:

Sound emissions from fixed (stationary) noise sources, excluding live firing of weapons and single or multiple explosive events, when measured at any point within any land zoned for residential purposes or at the notional boundary of any noise sensitive activity (other than a site from which noise is emitted or a road), shall not exceed the following:

7.00am to 7.00pm	55dB LAeq(15mins)
7.00pm to 10.00pm	50dB LAeq(15mins)
10.00pm to 7.00am	45dB LAeq(15mins)

Notional boundary is defined as a line 20m from any side of a dwelling or the legal boundary where this is closer to the dwelling.

- iii. Sound emissions from any other activity sources (excluding live firing of weapons, firing of blank ammunition, single or multiple explosive events and the noise sources listed in R15.4.3.4(e)i and ii (above) – Compliance with R15.4.7.1.

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 performance standards 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.

15.4.4 RULES: CONTROLLED ACTIVITIES

R15.4.4.1 Construction, Development or Redevelopment of Flood Protection Works by, or on behalf of, the Manawatu-Wanganui Regional Council.

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

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

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

Assessment Criteria

- (a) The extent to which the visual effects of flood protection works on adjoining residential neighbourhoods are avoided or mitigated.
- (b) The extent to which any adverse effects associated with the development and construction of flood protection works on adjoining residential neighborhoods is avoided or mitigated.
- (c) Whether to positive effects of flood protection works are recognised.

NOTE TO PLAN USERS:

All activities on the primary stopbanks are controlled by Manawatu-Wanganui Regional Council under its designation for this area. One Plan Rule 17-15 should be referred to for all activities between an artificial watercourse or bed of a river and 8 metres inland of the landward toes of a stopbank. Any excavation, drilling, tunneling of 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.

15.4.5 RULES: RESTRICTED DISCRETIONARY ACTIVITIES

R15.4.5.1 Community and Leisure Activities and Facilities not Complying with Performance Standards

Community and Leisure Activities and Facilities not complying with Performance Standards in relation to:

- (a) Lighting
 - (b) Separation Distances
- are Restricted Discretionary Activities with regard to:

- Design and Appearance;
- Effects on Adjoining Residential Areas.

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 Recreation Zone objectives and policies, assess any applications in terms of the following assessment criteria:

Assessment Criteria

(a) Lighting

- i. The extent to which the overspill of light onto adjacent residential properties is avoided.
- ii. The extent to which the effects of the overspill of light can be managed through the use of planting, screening or orientation of light sources.
- iii. The extent to which topography and other site features mitigate the effects of light overspill.

(b) Separation Distances

- i. The extent to which the effects of noise and other environmental disturbance to surrounding residential areas is avoided.
- ii. The extent to which the location of buildings contribute positively to the character and amenity values of the surrounding residential environment.

Explanation

At times it is not possible for community and recreational activities and the facilities which they occupy to meet the performance standards set down in the Plan. The Restricted Discretionary Activity category gives the opportunity for applications to be assessed in terms of the objectives and policies of the zone and the specific policies which are intended to aid in that assessment.

R15.4.5.2 Community and Leisure Facilities not Complying with the Performance Standards

Community and Leisure Facilities not complying with the Performance Standards in relation to:

(a) Parking and Cycle Parking

is a Restricted Discretionary Activity with regard to:

- The safe and efficient operation of the land transport network;
- The provision of car parking.
- The provision of opportunities for people to use active and non-vehicular modes of transport.

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 Recreation Zone objectives and policies, assess any application in terms of the following assessment criteria:

Assessment Criteria

- The extent to which parking not accommodated on the site effects the safe and efficient operation of the land transport network.
- The extent to which off-site parking is available to meet the need generated for parking.
- Whether the possible low frequency of the need for the total parking requirement is recognised.
- The extent to which off-site parking has effects on the character and amenity values of the surrounding residential environment.

Explanation

The Recreation Zone parking standards have been developed to ensure that the parking demands associated with a building's use can be adequately satisfied on site. Council recognises though, that the nature of the demand generated by some forms of development may justify a variation from these standards, provided that the possible impact on such areas as safety, convenience and amenity are properly addressed.

15.4.6 RULES: DISCRETIONARY ACTIVITIES

R15.4.6.1 Discretionary Activities

Any Community and Leisure Facility or Activity which does not comply with the Performance Standards for Permitted Activities and is not provided for by R15.4.5.1, R15.4.6.1, R15.4.6.2 or R15.4.8.1; or

Any activity which is not a Permitted Activity, Restricted Discretionary Activity or Non-Complying Activity 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 Recreation Zone objectives and policies, assess any application in terms of the following further assessment criteria:

Assessment Criteria

- The extent to which the effects of noise, hours of operation and other environmental disturbance on surrounding residential neighbourhoods are avoided or mitigated.
- The extent to which the effects of the generation of additional traffic have been provided through efficient and effective parking and access provisions.
- The extent to which additional traffic generated has effects on the efficiency and effectiveness of the land transport network.
- The extent to which the design and appearance of any structure contributes positively to the character and amenity values of the surrounding environment.
- The extent to which the recreational potential or open space character of the site is maintained.
- To ensure employment uses and community facilities provide appropriate opportunities for people to use activity and non-vehicular modes of transport.

Explanation

This category of activity is intended to deal with activities and facilities which do not fall within the other categories provided in this Zone. As such they are essentially "one off" developments which need careful assessment to ensure their effects can be avoided, remedied or mitigated, that they fit into the existing environment and that they do not undermine the essential character of the Zone.

NOTE TO PLAN USERS

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

R15.4.6.2 Minor Temporary Military Training Activities which do not comply with the Performance Standards

Minor Temporary Military Training Activities which do not comply with the Performance Standards of R15.5.3.3, including live firing of weapons, firing blank ammunition, single or multiple explosive events, are Discretionary 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 Recreation Zone objectives and policies, assess any application in terms of the following assessment criteria:

Assessment Criteria

- (a) The extent to which adverse effects on the visual amenity and/or character of the surrounding areas are avoided.
- (b) The extent to which the effects of additional traffic generated effects the safe and efficient operation of the land transport network.
- (c) The extent to which disturbance on flora and fauna within the zone is avoided or mitigated.
- (d) The extent to which effects of the proposal on any area of natural and/or cultural heritage value, or of particular significance to tangata whenua are avoided or mitigated.
- (e) The extent to which adverse effects of noise, hours of operation and other environmental disturbance on surrounding dwellings are avoided or mitigated.
- (f) The extent to which the effects of noise, including peak sound levels resulting from impulsive noise impacts on noise sensitive areas.
- (g) The extent to which a Noise Management Plan, prepared by an acoustical consultant and submitted at the time of application for a resource consent, identifies the likely noise impacts for the areas and describes the noise management measures to avoid, remedy or mitigate adverse effects of noise, including best practicable options adopted to minimize sound emissions from live firing of weapons, firing of blank ammunition and single or multiple explosive events.
- (h) The extent to which a community consultation programme, submitted at the time of application for a resource consent, has been developed for communication with occupiers, owners and users of the affected site and Council will be implemented prior to the military training activities commencing, and includes notification of event, updates during the event, methods for following up complaints received during or after the event and the process of liaison with Council.

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.

15.4.7 RULES: NOISE

R15.4.7.1 Noise

- a. Public address systems or mechanically powered machines or vehicles when operated on any park or reserve shall not exceed the following at any point within any land zoned Residential or at any point within the boundary of any rural land in the Rural Zone:

7.00am to 7.00pm

50dB LAeq(15mins)

7.00pm to 10.00pm

45dB LAeq(15mins)

10.00pm to 7.00am

40dB LAeq(15mins)

Night-time L_{max} 10.00pm to 7.00am

70 dBA L_{max}

- b. Crowd noise from people in a Park or Reserve is considered a reasonable and acceptable effect of the use of recreation reserves and as such shall not be controlled using rules in this Plan.
- c. At the Manawatu Golf Club, activities associated with course preparation activities, including grass mowing, shall not exceed the following noise limits when measured at the boundary of any site within the Hokowhitu Lagoon Residential Area:

6am to 10pm

55 dB LAeq(15mins)

10pm to 6am

40 dB LAeq(15 mins)

10pm to 6am

70 dBA L_{max}

Grass mowing, aerating/coring and rolling at the Manawatu Golf Club that occurs near to the boundary, which exceeds 55dB LAeq(15mins), shall be exempt from the above noise rule provided that it occurs with 7am and 10pm.

Explanation

The rules for noise are designed to protect neighbouring residential amenity and other users of these areas from the specific noise effects generated by public address systems, mechanically powered machines or vehicles. Crowd noise associated with activities undertaken in this zone is not addressed by rules in this Plan.

15.4.8 NON-COMPLYING ACTIVITIES

R15.4.8.1 All activities in the Inner and Outer Control Contours that do not comply with R10.6.1.1(h)

All activities in the Inner and Outer Control Contours that do not comply with R10.6.1.1(h) shall be a non-complying activity.

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

1. To take into account any circumstances that would make compliance with the noise reduction standards in R10.6.1.1(h) inappropriate or unreasonable; and
2. 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(jj) – 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.

R15.4.8.2 Crematoria

Crematoria are Non-Complying Activities.

Explanation

Crematoria have a range of potential effects that could adversely affect the amenity qualities of the Zone including adverse effects on social and cultural matters. The application of Non-Complying Activity status to these activities will ensure that any Crematoria has to demonstrate that it can satisfy the requirements of Section 104 and 104D of the Resource Management Act 1991 prior to any approval being granted.

R15.4.8.3 Buildings on the Railway Land East site

Any building on Lot 1 DP 78518 (the Railway Land East site) which fails to comply with R15.4.3.2(b) shall be a non-complying activity.

In considering whether to grant the application and what conditions, if any, to impose Council shall take into account the objectives and policies of the Recreation Zone and the policies listed in R15.4.6.1(a) to (e).

Explanation

Any additional building larger than the 50m² gross floor area permitted activity maximum on the Railway Land East site will be considered as a non-complying activity. This will ensure that consideration is given to whether the building can be accommodated without adversely affecting the open space character and amenity values of the site or the amenity values of adjoining areas.

15.5 Conservation and Amenity Zone

15.5.1 OBJECTIVES AND POLICIES

Within the broad framework of the City View objectives in Section 2 the following specific objective and policies apply to the Conservation and Amenity Zone:

OBJECTIVE 1

To recognise and protect the City's conservation and amenity reserves.

POLICIES

- 1.1 To conserve and protect those areas which have high scenic, scientific, heritage conservation **and** amenity **and indigenous biodiversity** values.
- 1.2 To restrict activities and/or development in the Conservation and Amenity Zone to that which is consistent with the natural or undeveloped open space character of the Zone.
- 1.3 To enable the use of those areas with high scenic, scientific, conservation, **and** amenity **and indigenous biodiversity** values for informal recreation activities.
- 1.4 To provide for works within the Napier Road Residential Area associated with the restoration of the oxbow wetland and escarpment, including the provision for land transport, walkways and stormwater infrastructure in general accordance with the Napier Road Residential Area Structure Plan (refer to Map 7.5 in Section 7 – Subdivision).
- 1.5 To maintain, protect, restore and enhance the natural landforms¹ and natural environment of the gully network, ~~indigenous forest areas~~ of indigenous biodiversity² and wetlands within Aokautere by requiring subdivision, use and development within the Aokautere Structure Plan area to:
 - Provide for the formal protection and ongoing management of the gully network, ~~areas of indigenous biodiversity forest areas~~³ and wetlands;
 - Avoid locating hard structures and buildings footprints⁴ in the gully network unless Policy 1.6 applies;
 - Avoid earthworks in the gully network unless Policy 1.6 applies;
 - Avoid more than minor adverse effects of stormwater discharges, by ensuring development is consistent with Objective 4 and related policies in Section 7A Greenfield Residential Areas⁵.
- 1.6 To provide for the development, ~~and maintenance and ongoing operation of essential services, recreational tracks and roading infrastructure within the gully network in Aokautere that where these works are is necessary to give effect to enable residential development within the areas shown on the Aokautere Structure Plan~~⁶.
- 1.7 To recognise the mana of tangata whenua as kaitiaki and the role of people and communities, including landowners, as stewards of indigenous biodiversity and provide for encourage the involvement of tangata whenua, landowners and the community in initiatives to protect, restore and maintain areas of indigenous

¹ S39.001, S107.001, S77.001

² S77.005, S97.007, S71.005

³ S77.005, S97.007, S71.005

⁴ S50.025

⁵ S77.001, S77.008, S77.009, S39.007, S34.001, S17.001, S30.001, S41.008

⁶ S39.008, S39.001, S71.005

biodiversity vegetation in the Aokautere Structure Plan area.⁷**Explanation**

The Conservation and Amenity Zone covers specific open space areas largely in public ownership, which have local amenity or high scenic or conservation values. Some of the areas are located within rural areas e.g. MacCraes Bush and Keebles Bush, others adjoin residential areas such as the Clearview, Jickell Street and Awatea Reserves. Most of the areas covered by this Zone are under the control of the Palmerston North City Council or the Department of Conservation, but some are privately owned and/or do not have public access, like for example Keebles Bush (scientific reserve).

These site-specific areas in this Zone offer the potential to provide a unique recreation experience in a natural environment and where they adjoin residential areas, retention of visual amenity is also provided. It is Council's intention that these conservation and amenity areas be maintained to protect and conserve the character and features of value.

The Palmerston North City Council seeks to enable the establishment and operation of a restricted range of activities and/or development consistent with the Zone's emphasis on conservation and protection. Activities are limited to those which will result in a minimal disturbance to the natural

character of landforms, vegetation and open space areas e.g., informal recreation and scenic walks. Buildings are also limited in size and scale and have a service function in order to conserve the natural character of these areas. This will enable the on-going use and enjoyment of these unique recreation resources whilst minimising impacts on environmental conservation values.

Works are required within the Conservation and Amenity Zone in the Napier Road Residential Area to enable the successful restoration and recreational development of the wetland and oxbow, including installation of stormwater infrastructure, as well as works to manage the interface of the zone with the residential zone to the south and to provide access to James Line.

15.5.2 METHODS

- District Plan Rules, including Section 17 Cultural and Natural Heritage
- Reserve Management Plans (Reserves Act 1977)
- Council's powers as landowners and lessor
- Long Term Plan/Annual Plan projects
- Development Plans
- Sport and Recreation Planning Framework
- Asset Management Plans

The emphasis of the objectives and policies for this Zone is to conserve the natural character and value of these areas. District Plan rules are an efficient and publicly available means of managing activities and developments, while Reserve Management Plans, can ensure that the objectives and policies are achieved on a day-to-day basis. The Sport and Recreation Planning Framework seeks to anticipate the community's development intentions on park and reserves in alignment with the objectives and policies of Reserve Management Plans. Annual Plan programmes for fencing, track development and native planting will also provide a cost-efficient means of limiting development and protecting the intrinsic character of these areas.

15.5.3 Rules: Permitted Activities

R15.5.3.1 Permitted Activities

- a. Informal Recreation
- b. Works associated with the maintenance of Conservation and Amenity Reserves
- c. Works associated with the development of the oxbow reserve located within the Napier Road Residential Area
- d. Roads required as part of the development of the Napier Road Residential Area are Permitted Activities, provided they comply with the following Performance Standards:

NOTE TO PLAN USERS

Any form of obstruction by culvert or road crossing of the main channel in the oxbow restricting water flow is likely to have an effect on upstream land. Structures within the oxbow need to be engineered to avoid adverse effects on adjoining properties. Refer to Policy 7.3 in Subdivision Section for the Napier Road Residential Area and R7.6.2.2(b) Matters for Discretion.

Plan users are encouraged to consult with the Manawatu-Wanganui Regional Council prior to undertaking any land disturbance in, or within ten metres of, the bed of a lake or a permanently or intermittently flowing waterway. Resource consent may be needed from the Regional Council for works in or near waterbodies.

Performance Standards

(a) Signs

Compliance with R6.1.5.

R15.5.3.2 Public Toilets, Maintenance Sheds, Information Kiosks, and Interpretive

Structures associated with Informal Recreation Activities

Public Toilets, Maintenance Sheds, Information Kiosks, and Interpretive Structures associated with Informal Recreation Activities are Permitted Activities, provided that they comply with the following Performance Standards:

Performance Standards

(a) Building Size

- i. The aggregate gross floor area of buildings shall not exceed 50m².

Explanation

This rule provides for a small amount of development such as the provision of small buildings which do not compromise the natural qualities of conservation and amenity reserves and enhance their use. The size and scale of development is controlled to conserve and protect the natural character and features of value and to minimise adverse effects to the amenity of these areas and adjoining residential areas.

(c) Height

No building shall exceed a maximum height of 4m and in all other respects shall comply with R10.6.1.1(a).

Explanation

The height of ancillary buildings is limited to ensure the building does not visually dominate or detrimentally impact the natural character of conservation and amenity areas. The height performance standard reflects that which is considered appropriate having regard to the special character of conservation and amenity areas.

(d) Separation Distances

Any building shall be located a minimum of 6 metres from any boundary with a Residential Zone and a minimum of 3 metres from any road boundary.

Explanation

The separation distance control is designed to avoid, remedy or mitigate any perceived adverse effects of building/structure on any adjoining residential land. Such effects may include visual intrusion of a building or structure etc.

R15.5.3.3 Minor Temporary Military Training Activities

Minor Temporary Military Training Activities(excluding live firing of weapons, firing of blank ammunition, single or multiple explosive events) are Permitted Activities 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 performance standards (b) and (c) of R15.5.3.2.
- ii. Any buildings erected in association with the Temporary Military Training Activity must be removed at the conclusion of the activity.

(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 the following noise limits:

Sound emissions from fixed (stationary) noise sources, excluding live firing of weapons and single or multiple explosive events, when measured at any point within any land zoned for residential purposes or at the notional boundary of any noise sensitive activity (other than a site from which noise is emitted or a road), shall not exceed the following:

7.00am to 7.00pm

55dB LAeq(15mins)

7.00pm to 10.00pm

50dB LAeq(15mins)

10.00pm to 7.00am

45dB LAeq(15mins)

Night-time L_{max} 10.00pm to 7.00am75 dBA L_{max}

Notional boundary is defined as a line 20m from any side of a dwelling or the legal boundary where this is closer to the dwelling.

- iii. Sound emissions from any other activity sources (excluding live firing of weapons, firing of blank ammunition, single or multiple explosive events and the noise sources listed in R15.5.3.3(e) i and ii (above) – Compliance with R15.5.7.1.

(f) Vehicle Access

The use of any vehicles in the Conservation and Amenity Zone shall be restricted to any formed and sealed car parking areas.

NOTE TO PLAN USERS

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

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 performance standards 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.

R15.5.3.4 Walking Tracks

Walking Tracks are Permitted Activities provided the following performance standards are complied with:

Performance Standards

- Walking tracks must be sited and constructed in such a manner that they do not compromise the scientific, scenic, conservation, amenity or flood and erosion protection values of the area.
- Notwithstanding R15.5.3.1 and R15.5.3.2, permitted associated structures are restricted to those necessary to the formation of the track, such as bridges, stairways and earth retention structures.
- Signs shall comply with R6.1.5.

15.5.4 RULES: RESTRICTED DISCRETIONARY ACTIVITIES

R15.5.4.1 ~~Parking, Rooding, and~~ Essential Services and Primary Stormwater Elements⁸ within the Aokautere Structure Plan

Parking, Rooding, and Essential Services and Primary Stormwater Elements, that are necessary to give effect to⁹ provided for in the Aokautere Structure Plan s are a Restricted Discretionary Activity with regard to:

- Consistency¹⁰ Compliance with the Aokautere Structure Plan;
- The safe and efficient operation of the land transport network;
- The location and design of access points for the roading network;
- Integration of the roading network and essential services;

⁸ \$50.025

⁹ \$43.001, \$39.007

¹⁰ \$50.025, \$58.005, \$58.057

- **Earthworks:**
- Design and appearance;
- **Effects on the Aokautere gully network, including effects on landscape, conservation, amenity, cultural and indigenous biodiversity values¹¹**
- **Stormwater management, including the design and location of Primary Stormwater Elements¹².**
- **The provision of car parking.**

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

Performance Standard

Roads, ~~and~~ Essential Services and Primary Stormwater Elements¹³ under R15.5.4.1 must comply with the following performance standard:

(a) Natural Hazards

An application must be accompanied by a report from one or more accredited Chartered Professional Engineers, or other suitably qualified persons, experienced in soil mechanics or geotechnical engineering, as determined relevant by Council, identifying geo-physical features and characteristics of the land, including potential erosion, falling debris, subsidence, slippage or alluvium, and the likely risks that those features or characteristics present for the land, adjoining land, or any structure likely to be constructed on the land. This report must address the slope stability aspects that are critical for the proposed development and the potential for adverse effects from geotechnical constraints and any other natural hazards associated with the proposed works, with particular reference ~~and recommendations in relation to:~~

- i. **cut slope behaviour and slope stability analysis;**
- ii. **whether development should be restricted in certain areas;**
- iii. **whether specific designs are required in certain locations;**
- iv. **how fill should be placed onto the land based on subsurface conditions; ~~and/or~~**
- v. **the management of earthworks and recontouring of land¹⁴; and/or**
- vi. **future stream erosion and potential for downcutting¹⁵.**

Assessment Criteria

- (a) **The extent to which parking not accommodated on the site effects ~~Whether How~~ the roading, ~~and~~ essential services and Primary Stormwater Elements are provided in a manner consistent¹⁶ accordance with the Aokautere Structure Plan and their alignment with any the stormwater management plans prepared in accordance with requirements in R7A.5.2.2 (f)¹⁷**
- (b) **How the proposal provides for** the safe and efficient operation of the land transport network.

¹¹ S77.001-2, S77.005, S77.007

¹² S39.007, S77.008

¹³ S39.007, S77.008

¹⁴ S107.004, S21.002

¹⁵ S39.007, S41.008, S43.001

¹⁶ S50.025, S58.005, S58.057

¹⁷ S39.007, S41.008, S43.001, S60.003-4

- (c) How the roading connects to the gully network, open spaces and adjoining development.
- (d) How the design and construction of roading, ~~and~~ essential services ~~and~~ Primary Stormwater Elements¹⁸ manages the risks of slope stability and the¹⁹ effects of natural hazards.
- (e) ~~The extent to which off-site parking is available to meet the need generated for parking.~~
- (f) ~~Whether the possible low frequency of the need for the total parking requirement is recognised.~~
- (g) ~~The extent to which off-site parking has~~ How Whether adverse effects on the character and amenity values ~~gully network, including indigenous biodiversity forest areas vegetation and wetlands in the gully network, including wetlands, are avoided as far as where practicable, possible of the surrounding residential environment and where adverse effects cannot be avoided, they are minimised where practicable, and where they cannot be minimised, they are remedied where practicable, and otherwise consideration is given to offsetting and compensation where appropriate²⁰ and mitigated in all other circumstances.~~
- (h) ~~The extent to which Whether~~ the location and scale of earthworks avoids adversely ~~effects on the gully network, indigenous forest areas and wetlands.~~⁻²¹

Explanation

Roading and essential services on land within the Aokautere Structure Plan are likely to be located on Class E land. This land exhibits evidence of past or present erosion or slippage, or has a slope gradient ~~steeper than over~~ 30 degrees and/or is subject to processes (e.g. removal of toe support) such that erosion or slippage is considered likely to occur in the future. It is unlikely that excavation, filling, removal of vegetation, disposal of stormwater or wastewater can be carried out without substantial topographic modification of the existing slopes to ensure stability. Any proposed development will require substantial geotechnical engineering input and analysis. The requirements for geotechnical engineering input will vary depending on the proposed development, and should be tailored to address the slope stability aspects that are critical for the proposed development.

~~A number of conservation and amenity reserves may attract more vehicles than can be accommodated on or close to a reserve. The overflow of vehicles into surrounding areas detracts from the amenities of these areas and may affect public safety. The Council aims to ensure that parking is provided only where it is essential to meet a demonstrated demand and will not compromise any of the special qualities of these reserves.~~

15.5.5 RULES: DISCRETIONARY ACTIVITIES

R15.5.5.1 Minor Temporary Military Training Activities which do not comply with the Performance Standards

Minor Temporary Military Training Activities which do not comply with the Performance Standards of R15.5.3.3, including live firing of weapons, firing of blank ammunition, single or multiple explosive events, are Discretionary 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 Conservation and Amenity

¹⁸ S39.007, S77.008

¹⁹ S107.004, S21.002

²⁰ S77.001-2

²¹ S50.025, consequential amendment due to change to (g).



Assessment Criteria

- (a) The extent to which adverse effects on the visual amenity and/or character of the surrounding area are avoided.
- (b) The extent to which the effects of additional traffic generated effects the safe and efficient operation of the land transport network.
- (c) The extent to which disturbance on flora and fauna within the zone is avoided or mitigated.
- (d) The extent to which effects of the proposal on any area of natural and/or cultural heritage value, or of particular significance to tangata whenua are avoided or mitigated.
- (e) The extent to which adverse effects of noise, hours of operation and other environmental disturbance on surrounding dwellings are avoided or mitigated.
- (f) The extent to which the effects of noise, including peak sound levels resulting from impulsive noise impacts on noise sensitive areas.
- (g) The extent to which a Noise Management Plan, prepared by an acoustical consultant and submitted at the time of application for a resource consent, identifies the likely noise impacts for the areas and describes the noise management measures to avoid, remedy or mitigate adverse effects of noise, including best practicable options adopted to minimize sound emissions from live firing of weapons, firing of blank ammunition and single or multiple explosive events.
- (h) The extent to which a community consultation programme, submitted at the time of application for a resource consent, has been developed for communication with occupiers, owners and users of the affected site and Council will be implemented prior to the military training activities commencing, and includes notification of event, updates during the event, methods for following up complaints received during or after the event and the process of liaison with Council.

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.

15.5.6 RULES: NON-COMPLYING ACTIVITIES

R15.5.6.1 Non-Complying Activities

The following activities shall be a Non-Complying Activity:

- (a) Any activity, building or structure that does not comply with the Performance Standards for Permitted Activities [or R15.5.4.1²²](#), or is not a Permitted, Controlled, Restricted Discretionary Activity or Discretionary Activity. ~~shall be a Non-Complying Activity.~~
- (b) ~~[Any earthworks within the Aokautere Structure Plan area that are not provided for in, or do not comply with, R15.5.4.1.²³](#)~~

²² S50.025, S71.005, S107.002, S92.003, S77.022

²³ S50.025, S71.005, S107.002, S92.003, S77.022

Explanation

The Conservation and Amenity Zone's purpose is to identify and protect areas of scenic, scientific, heritage, and conservation and amenity significance to the City. The restriction on the size, type and effects generated by activities aims to ensure that appropriate activities are able to operate within the Zone while avoiding, remedying or mitigating any adverse effects on the integrity of the zone as an area of scenic, scientific, heritage, and conservation and amenity significance.

NOTE TO PLAN USERS

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

15.5.7 RULES: NOISE

R15.5.7.1 Noise

Noise from any activity shall not exceed the following at any point within any land zoned Residential or at any point within the boundary of any rural land in the Rural Zone:

7.00am to 7.00pm	45 dB LAeq(15mins)
7.00pm to 10.00pm	40 dB LAeq(15mins)
10.00pm to 7.00am	35 dB LAeq(15mins)
Night-time L _{max} 10.00pm to 7.00am	65 dBAL _{max}

15.6 Water Recreation Zone

15.6.1 OBJECTIVES AND POLICIES

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

OBJECTIVE 1

To manage the effects of activities on the surface of significant rivers, lakes and streams located within Palmerston North.

POLICIES

- 1.1 To enable a diverse range of recreation activities, and Temporary Military Training Activities on the surface of the Manawatu and the Pohangina Rivers, the Hokowhitu Lagoon, the Turitea and Kahuterawa Streams.
- 1.2 To avoid, remedy or mitigate the adverse effects of noise generated by recreational activities occurring within the Water Recreation Zone.

Explanation

Section 31(e) of the Resource Management Act 1991 requires territorial authorities to control the actual or potential effects of activities in relation to the surface of water in rivers and lakes. To fulfil this requirement the Water Recreation Zone has been developed.

The Water Recreation Zone encompasses the freshwater surface of the Manawatu and the Pohangina Rivers, the Hokowhitu Lagoon, and the Turitea and Kahuterawa Streams. This Zone provides for the use of these water surfaces for water-related recreational activities. The primary function of this Zone is to control the effects of noise associated with the use of the surface water by recreational activities, which is the principal effect of activities in this Zone. Provisions controlling signs are also included in this zone.

Activities occurring on the riverbeds, or within the waterbody, are the responsibility of the Manawatu-Wanganui Regional Council and are not addressed in this District Plan. Activities which may disturb riverbeds in any way require a consent from the Manawatu-Wanganui Regional Council.

15.6.2 METHODS

- District Plan Rules (Palmerston North City Council).
- Council's powers as landowner and lessor
- Long Term Plan/Annual Plan projects
- Asset Management Plans

The limited objective and policies for this Zone mean that the most effective and cost-efficient means of achievement is through the provision of rules.

15.6.3 RULES: PERMITTED ACTIVITIES

R15.6.3.1 Water-related Recreation Activities and Associated Ancillary Activities

Water-related recreation activities and associated ancillary activities are Permitted Activities, provided that the following performance standard is complied with:

(a) Signs

Compliance with R6.1.5.

R15.6.3.2 Minor Temporary Military Training Activities

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

Performance Standards

(a) Hazardous Substances

Compliance with the provisions of Section 14 - Hazardous Substances

(b) Duration and Frequency of Activities

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

(c) 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 the following noise limits:

Sound emissions from fixed (stationary) noise sources, excluding live firing of weapons and single or multiple explosive events, when measured at any point within any land zoned for residential purposes or at the notional boundary of any noise sensitive activity (other than a site from which noise is emitted or a road), shall not exceed the following:

7.00am to 7.00pm	55dB LAeq(15mins)
7.00pm to 10.00pm	50dB LAeq(15mins)
10.00pm to 7.00am	45dB LAeq(15mins)
Night-time L _{max} 10.00pm to 7.00am	75 dBA L _{max}

Notional boundary is defined as a line 20m from any side of a dwelling or the legal boundary where this is closer to the dwelling.

(iii) Sound emissions from any other activity sources (excluding live firing of weapons, firing of blank ammunition, single or multiple explosive events and the noise sources listed in R15.6.3.2 (e)(i) and (ii) above) – Compliance with R15.6.4.1.

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 performance standards 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.

15.6.4 RULES: NOISE

R15.6.4.1 Noise

(a) With the exception of Specially Organised Events on the Hokowhitu Lagoon, which shall occur on no more than 5 days per calendar year, public address systems and mechanically powered machines or craft when operated on the surface of the water, shall not exceed the following at any point within any land zoned Residential or any rural land in the Rural Zone:

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

(b) The prescribed noise limits may be exceeded by Specially Organised Events by the Manawatu Model Boat Racing Club on not more than five (5) occasions per calendar

year provided that no less than 14 days prior to the event and not more than 28 days prior to the event, public notice in a newspaper circulating the City is given of such an event.

- i. The notice shall inform the general public of:
 - The nature of the event
 - The proposed dates and start and finish times of the event
 - That the prescribed noise limits may be exceeded.

The event will be deemed to have taken place upon the act of notification even if the event is cancelled.

- ii. Mechanical sounds from any event shall be designed, tested and operated to not exceed 75dBA $L_{Aeq(2mins)}$ when measured over any two-minute period at any point along the boundary of the water and the land edge of the Hokowhitu Lagoon.
- iii. Events that have been publicly notified shall not take place outside the hours of 8:00am to 6:00pm.
- iv. Without limiting this rule, the term "mechanically powered machines and vehicles" may include:
 - Mechanical services equipment;
 - Vehicles and any devices used for racing, performance and for exhibition.

Explanation

Noise emissions from recreation water related activities can impact on the amenity value of adjacent land uses. Accordingly, these activities need to be managed to avoid or mitigate any adverse effects. Council will impose noise limits to ensure that the emission of noise from activities using the water surface does not exceed levels determined as appropriate to preserve the amenity of neighbouring residential areas.

15.6.5 RULES: DISCRETIONARY ACTIVITIES

R15.6.5.1 Discretionary Activities

Any activity failing to meet the requirement of R15.6.3.1, R15.6.3.2 or R15.6.4.1 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 Water Recreation Zone objectives and policies, assess any application in terms of the following assessment criteria:

Assessment Criteria

- (a) The extent to which adverse effects of noise, hours of operation, or other environmental disturbance on the adjoining residential neighbourhood are avoided or mitigated.

R15.6.5.2 Minor Temporary Military Training Activities which do not comply with the Performance Standards

Minor Temporary Military Training Activities which do not comply with the Performance Standards of R15.5.3.3, including live firing of weapons, firing of blank ammunition, single or multiple explosive events, are Discretionary 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 Water

Recreation Zone objectives and policies, assess any application in terms of the following assessment criteria:

Assessment Criteria

- (a) The extent to which adverse effects on the visual amenity and/or character of the surrounding area are avoided.
- (b) The extent to which adverse effects of noise, hours of operation and other environmental disturbance on surrounding dwellings are avoided or mitigated.
- (c) The extent to which the effects of noise, including peak sound levels resulting from impulsive noise impacts on noise sensitive activities.
- (d) The extent to which a Noise Management Plan, prepared by an acoustical consultant and submitted at the time of application for a resource consent, identifies the likely noise impacts for the area and describes the noise management measures to avoid, remedy or mitigate adverse effects of noise, including best practicable options adopted to minimize sound emissions from live firing of weapons, firing of blank ammunition and single or multiple explosive events.
- (e) The extent to which a community consultation programme, submitted at the time of application for a resource consent, has been developed for communication with occupiers, owners and users of the affected site and Council will be implemented prior to the military activities commencing, and includes notification of event, updates during the event, methods for following up on complaints received during or after the event and the process of liaison with Council.

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.

15.7 Racecourse Zone

15.7.1 OBJECTIVES AND POLICIES

Within the broad framework of the City View objectives in Section 2 the following specific objectives and policies apply to the Racecourse Zone.

OBJECTIVE 1

To promote the efficient use and continued viability of existing physical resources within the Racecourse Zone.

POLICY

- 1.1 To recognise and provide for the racing industry and associated ancillary activities.
- 1.2 To manage the future growth and development of the Awapuni Racecourse consistent with the Awapuni Racecourse Structure Plan

Explanation

Both the Awapuni Racecourse and the Manawatu Harness Racing Club's course, comprise a substantial investment of land, buildings and infrastructure by the racing industry. By identifying and providing for their continued operations, Objective 1 and Policy 1.1 provide certainty for industry stakeholders. Complementary activities have been provided for in recognition of the multiple use of facilities by other groups. These activities are generally accepted by the community as appropriate activities being compatible with the primary functions.

OBJECTIVE 2

To protect the amenity values of adjacent residential areas.

POLICIES

- 2.1 To avoid, remedy or mitigate the adverse impact of buildings, structures, development, and signs on adjoining residential areas.
- 2.2 To avoid, remedy or mitigate the adverse effects of the racing industry and ancillary activities on neighbouring residential areas.

Explanation

Both the Awapuni Racecourse and the Manawatu Harness Racing Facilities abut either existing or developing residential areas. Given the variable nature of activities that are included in this zone, the Council seeks to ensure that safeguards are put in place to minimise adverse effects that may be generated by these activities or associated development on the amenities of neighbouring residential areas. The range of effects may include, for example, the impact of new development, noise, parking and the keeping of animals on-site on the amenity of adjacent residential areas.

15.7.2 METHODS

- District Plan Rules
- Awapuni Racecourse Structure Plan (refer to Map 15.1)

The objectives and policies detailed above will primarily be achieved through the rules contained in this District Plan. The Council considers the use of targeted regulatory intervention, for example, the control of the height of buildings which abut a residentially zoned site to be the most effective and cost-efficient method to achieve the environment outcomes sought.

15.7.3 RULES: PERMITTED ACTIVITIES

R15.7.3.1 Permitted Activities

The following activities are Permitted Activities, provided they comply with the following performance standards:

- a. Where these are associated with horse racing:
 - i. race meetings;
 - ii. shows;
 - iii. rallies;
 - iv. auctions and sales.
- b. Racehorse training, stabling and associated ancillary activities including veterinary clinics and horse cartage depots.
- c. Greyhound racing activities.
- d. Offices and facilities ancillary to equestrian and racing industry activities.
- e. Use of land and buildings for conferences, social and civic functions, shows, exhibitions or demonstrations.
- f. Use of land and buildings for catering activities, training and educational activities on site as at 31 May 1995.
- g. Parking.
- h. Organised sport and recreation activities (excluding motorsports) and associated grounds and playing fields.

Performance Standards

(a) Parking

Compliance with Rules:

- 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.

(b) Lighting

Compliance with R15.4.5.1(a).

Explanation

The lighting rules are designed to contain exterior lighting with the Racecourse Zone and to avoid the intrusion or overspill of light and glare from floodlights, lighting towers, signboards and the like onto neighbouring residential properties.

(c) Hazardous Substances

Compliance with the provisions of Section 14 - Hazardous Substances.

(d) Hours of Operation

Any activity, with the exception of racehorse training, shall not operate outside the following hours of operation:

- i. Between 7:00am and 11:30pm Sunday to Thursday.
- ii. Between 7:00am and 1:30am the following morning (Friday and Saturday).

Explanation

Controls on the operating hours of all but racehorse training and associated activities which occur in the early hours of the morning are required to ensure that there are no adverse effects on any adjoining residential areas.

(e) Waste Disposal

No animal, stable waste or general horse waste shall be stored within 100 metres of a residentially zoned site.

Explanation

This rule will ensure that stable waste and general horse waste is stored at some distance away from neighbouring residential properties thereby mitigating adverse effects on visual, and general residential amenity values.

(f) Outdoor Storage

Any area used for the outdoor storage of goods, products, equipment, materials or waste which can be viewed from residential areas and roadways shall be screened either by a fence of not less than 1.8 metres in height, or by dense planting of vegetation capable of growing to 1.8 metres in height. This shall not exclude the provision of gates or other access points.

(g) Signs

Explanation

Outdoor storage areas, and particularly those used for the storage of waste, can detract from the visual amenity and pleasantness of the Racecourse Zones and neighbouring residential properties. The screening of such areas will help maintain visual amenity standards on-site for those adjoining residential areas.

Compliance with R6.1.5.

(h) Temporary Traffic Management

Any activity which is likely to have more than 1,000 attendees must first have a traffic management plan submitted to the Council for its approval. Without limiting other matters, the traffic management plan must provide that traffic is to be controlled at the intersection of Racecourse Road and Grand Oaks Drive; that the event parking may only occur on the south side of Grand Oaks Drive and not at all in Doncaster Court; and that, otherwise, vehicular entry to Grand Oaks Drive is restricted to residents of that road and of Doncaster Court or their visitors.

R15.7.3.2 The Construction of, Reconstruction of, or Addition to, Buildings and Structures

The construction of, reconstruction of, or addition to, buildings and structures are a Permitted Activity, provided that the following Performance Standards are complied with:

a. Height

- i. Where any building directly adjoins a residentially zoned site, compliance with R10.6.1.1 (a) except that there shall be no maximum height.
- ii. Notwithstanding i. above, all buildings and structures shall comply with the requirements of R13.4.7.1 (Airport protection surfaces).

b. Separation Distances**i. Building Not Housing Animals:**

Gross Floor Area of Building	Minimum Separation Distance from all Residential Zone Boundaries	Minimum Separation Distance from Road and All Other Boundaries
Up to 250m ²	6m	3m
251m ² -500m ²	8m	3m
501m ² -750m ²	10m	4m

ii. Permanent or Temporary Buildings and Structures (Including Yards) Housing Animals.

All buildings and structures must be located a minimum of 100 metres from any boundary with a Residential Zone and a minimum of 6 metres from all other boundaries.

Explanation

The rule will ensure that buildings and structures particularly those housing animals, are located at a suitable distance so as not to affect neighbouring residential properties and that the health and sense of wellbeing for residents will be maintained

c. Size of Building

Any single building shall not exceed a gross floor area of 750m².

d. Parking, Access and Loading

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;
- 20.4.2(g) Cycle Parking Provision and Design;
- 20.4.2(h) Cycle Parking End of Trip Facilities.

e. Landscape Amenity

Where a building or structure adjoins land zoned Residential or Rural, or a formed road, a planted amenity strip shall be provided which:

- i. Has a minimum width of 2 metres.
- ii. Extends the full length of the new building or addition.
- iii. Includes planting of specimen trees able to attain a height of 6 metres or more which are planted at a minimum frequency of one every 5 metres along the length of the amenity strip.

Explanation

Landscaping is an important contributor to the provision and maintenance of amenity within the Racecourse Zones and at the boundary with neighbouring residential areas. In addition to its amenity contribution, landscaping provides a useful technique to mitigate adverse effects through, for

example visually screening or blending buildings/structures with the surrounding environment and softening the impact of service and equestrian related recreational buildings. This rule will ensure that amenity values are maintained and protected.

R15.7.3.3 Minor Temporary Military Training Activities

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

Performance Standards

i. Buildings and Structures

- a. Any buildings and/or structures erected must be in compliance with performance standards (a) and (b) of R15.7.3.2.
- b. Any buildings erected in association with the Temporary Military Training Activity must be removed at the conclusion of the activity.

ii. 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.

iii. Hazardous Substances

Compliance with the provisions of Section 14 - Hazardous Substances.

iv. Duration and Frequency of Activities

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

v. Noise

- a. Mobile Noise Sources – Compliance with Table 2 and Table 3 of NZS: 6803:1999 Acoustics – Construction Noise
- b. Fixed (stationary) Noise Sources – Compliance with the following noise limits:

Sound emissions from fixed (stationary) noise sources, excluding live firing of weapons and single or multiple explosive events, when measured at any point within any land zoned for residential purposes or at the notional boundary of any noise sensitive activity (other than a site from which noise is emitted for a road), shall not exceed the following limits:

7.00am to 7.00pm	55dB LAeq(15mins)
7.00pm to 10.00pm	50dB LAeq(15mins)
10.00pm to 7.00am	45dB LAeq(15mins)
Nighttime L _{max} 10.00pm to 7.00am	75dBA L _{max}

Notional boundary is defined as a line 20m from any side of a dwelling or the legal boundary where this is closer to the dwelling.

- c. Sound emissions from any other activity sources (excluding live firing or weapons, firing of blank ammunition, single or multiple explosive events and the noise sources listed in R15.7.3.3(i) and (ii) above – Compliance with R15.7.7.1

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 performance standards 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.

NOTE TO PLAN USERS

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

15.7.4 RULES: RESTRICTED DISCRETIONARY ACTIVITIES

R15.7.4.1 Buildings and Structures not Complying with Performance Standards

Buildings and Structures not Complying with Performance Standards in Relation to:

- (a) Separation Distances
- (b) Building Size
- (c) Parking and Cycle Parking
- (d) Height

is a Restricted Discretionary Activity with regard to:

- The safe and efficient operation of the land transport network
- Design and appearance
- Effect on adjoining residential areas
- The provision of car parking.

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 Racecourse Zone objectives and policies, assess any application in terms of the following further assessment criteria:

Assessment Criteria

(a) Separation Distances, Building Size and Height

- i. The extent to which the design and appearance of any structure contributes positively to the character and amenity values of the surrounding residential environment.
- ii. The extent to which any environmental disturbance to adjoining residential neighbourhoods is avoided or mitigated.

(b) Parking

- i. The extent to which parking not accommodated on the site effects the safe and efficient operation of the land transport network.
- ii. The extent to which the off-site parking has effects on the character and amenity values of the surrounding residential environment.
- iii. Whether the possible low frequency of the need for the total parking requirement is recognised.
- iv. [...](#)

Explanation

The separation distances rule has been developed to ensure that adjoining properties are reasonably protected from effects of development located in proximity to a boundary. For example, the effects of noise associated with a building's use, loss of daylight and erosion of privacy.

The Council acknowledges though that there may be instances where these standards may be varied if the effects are appropriately assessed and remedied or mitigated.

R15.7.4.2 Buildings, Structures and Carparks within the Racecourse Precinct

The following activities within the Racecourse Precinct (as shown within the Awapuni Racecourse Structure Plan on Map 15.1) are Restricted Discretionary Activities:

- (a) Buildings and structures with a gross floor area of more than 100m², excluding tents, marquees and stages erected for events lasting less than 30 calendar days

- (b) Carparks

Discretion is restricted to:

- The Open Space Character of the Awapuni Racecourse
- Effects on Established Trees
- Effects on Adjoining Residential Areas
- The Provision of Car Parking
- Design and Appearance
- The Awapuni Racecourse Structure Plan

Assessment Criteria

(a) The Open Space Character of the Awapuni racecourse

- i. The extent to which fragmentation of open space is avoided

(b) Effects on Established Vegetation

- i. The extent to which any established trees are retained taking into account their health
- ii. To recognise the long-term benefits of replacement trees of a size, species and location that are complementary to the amenity values of the surrounding environment.
- iii. The extent to which the health of established trees is maintained during construction works.

(c) Effects on Adjoining Residential Areas

- i. The extent to which the design and location of new buildings, structures and carparks takes into account the effects on adjoining residential areas

(d) The Provision of Car Parking

- i. The extent to which the provision of car parking recognises the requirements of Section 20 Land Transport.
- ii. The extent to which the provision of car parking provides for regular events.
- iii. The extent to which alternative car parking and land transport arrangements are provided for irregular events.

(e) Design and Appearance

- i. The extent to which the design and appearance of new buildings, structures and carparks contributes positively to the character and amenity values of the Awapuni Racecourse and adjoining residential areas.

(f) The Awapuni Racecourse Structure Plan

- i. The extent to which any new building, structure or activity gives effect to the Awapuni Racecourse Structure Plan (Map 15.1).
- ii. The extent to which views to the Tararua Ranges are maintained from the grand

entrance identified on the Awapuni Racecourse Structure Plan (Map 15.1)

15.7.5 RULES: DISCRETIONARY ACTIVITIES

R15.7.5.1 Discretionary Activities

Any activity or the Construction, Alteration of or Addition to Buildings and Structures which does not comply with the Performance Standards for Permitted Activities, or is not a Permitted, Controlled, Restricted Discretionary Activity or Non-Complying Activity 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 Racecourse Zone objectives and policies, assess any application in terms of the following further 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 mitigated.
- (b) The extent to which the effects of the generation of additional traffic have been provided through efficient and effective parking and access provisions.
- (c) The extent to which the effects of additional traffic generated has effects on the efficiency and effectiveness of the land transport network.
- (d) The extent to which the design and appearance of any structure contributes positively to the character and amenity values of the surrounding residential environment.
- (e) The extent to which the recreational potential or open space character of the site is maintained.

Explanation

This category of activity is intended to deal with activities and facilities which do not fall within the other categories provided in this Zone. As such they are essentially "one off" developments which need careful assessment to ensure their effects can be avoided, remedied or mitigated, that they fit into the existing environment and that they do not undermine the essential character of the Zone.

NOTE TO PLAN USERS

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

R15.7.5.2 Minor and Extended Temporary Military Training Activities

Minor and extended temporary military training activities which do not comply with the Permitted Activity performance standards of R15.8.3.3, including live firing of weapons, firing of blank ammunition, single or multiple explosive events, are 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 Racecourse Zone objectives and policies, assess any application in terms of the following assessment criteria:

Assessment Criteria

- (a) The extent to which adverse effects of noise, hours of operation, and other environmental disturbance on the users of the Racecourse and surrounding residential properties are avoided or mitigated.
- (b) The extent to which the visual impact of any activities preserve the character and amenity of the Racecourse Zone.
- (c) The extent to which effects of the proposal on any areas of natural and/or cultural heritage value, or of significance to tangata whenua are avoided or mitigated.

- (d) The extent to which the effects of noise, including the peak sound levels resulting from impulsive noise impacts on the noise sensitive activities.
- (e) The extent to which a Noise Management Plan, prepared by an acoustical consultant and submitted at the time of application for a resource consent, identifies the likely noise impacts for the area and describes the noise management measures to avoid, remedy or mitigate adverse effects of noise, including best practicable options adopted to minimize sound emissions from live firing of weapons, firing of blank ammunition and single or multiple explosive events.
- (f) The extent to which a community consultation programme, submitted at the time of the application for a resource consent, has been developed for communication with occupiers and owners surrounding the Racecourse and council will be implemented prior to military training activities commencing, and includes notification of even, updates during the event, methods for following up complaints received during or after the event and the process of liaison with Council.

15.7.6 RULES: NON-COMPLYING ACTIVITIES

R15.7.6.1 Crematoria

Crematoria are Non-Complying Activities.

Explanation

Crematoria have a range of potential effects that could adversely affect the amenity qualities of the Zone including adverse effects on social and cultural matters. The application of Non-Complying Activity status to these activities will ensure that any Crematoria has to demonstrate that it can satisfy the requirements of Section 104 and 104D of the Resource Management Act 1991 prior to any approval being granted.

15.7.7 NOISE

R15.7.7.1 Noise

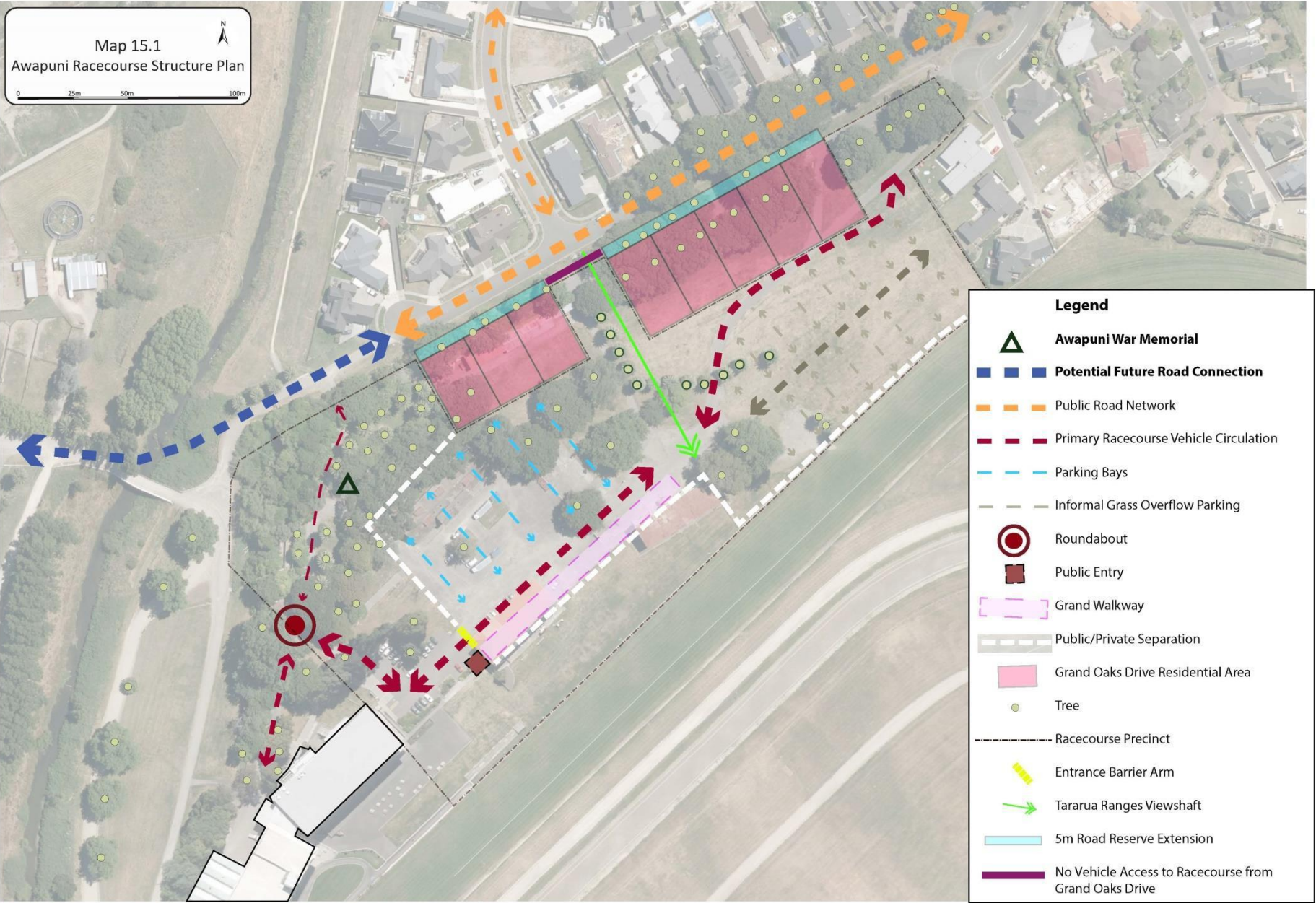
- (a) Sound emissions from public address systems or mechanically powered machines or vehicles when operated at the Racecourse shall not exceed the following at any point within any land zoned Residential or at any point within the boundary of any rural land in the Rural Zone:

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

- (b) Crowd noise from people in the Racecourse is considered a reasonable and acceptable effect of the use and as such shall not be controlled using rules in this Plan.

Explanation

The rules for noise are designed to protect neighbouring residential amenity and other users of these areas from the specific noise effects generated by public address systems, mechanically powered machines or vehicles in the Racecourse Zone. Crowd noise associated with activities undertaken in this zone is not addressed by rules in this Plan.



15.8 Arena Zone

15.8.1 OBJECTIVES AND POLICIES

Within the broad framework of the City View objectives the following specific objectives and policies have been identified for the Arena Zone:

OBJECTIVE 1

To promote the efficient use of physical resources within the Arena Zone.

POLICIES

- a. To recognise the multi-purpose nature of recreation activities located within this Zone.
- b. To manage the future growth and development of recreation activity and facilities in the Arena Zone consistent with the Arena Master Plan

Explanation

The Arena is a regional facility which hosts a diverse range of recreation community and leisure activities and serves a substantial regional catchment of people. Through adopting a flexible approach to the development of multi-purpose recreation and leisure activities, the Council considers that it will enable better management of the planned development of the Arena Complex.

OBJECTIVE 2

To protect the amenity values of neighbouring residential areas.

POLICIES

- 2.1 To avoid, remedy or mitigate the adverse effects of activities located within the Arena Zone.
- 2.2 To avoid, remedy or mitigate the adverse impact of buildings, structures, development and signs on adjoining residential areas.
- 2.3 To avoid, remedy or mitigate the adverse environmental effects of recreation, community and leisure activities on neighbouring residential areas.

Explanation

Due to the wide range of activities held at the Arena the Council seeks to ensure that adequate safeguards are in place to minimise the adverse effects of, for example, noise, glare, and parking overspill generated by activities, on the amenities of neighbouring residential areas.

OBJECTIVE 3

To Develop Arena into a Central Sports Hub providing for local, regional and national events and organisations.

POLICIES

- 3.1 To recognise Arena as a strategic asset as a Central Sports Hub catering for all levels of recreation events and activities.
- 3.2 To ensure development is consistent with the Arena Master Plan.
- 3.3 To ensure the use of wayfinding material achieves improved site legibility so that users can easily identify and find various facilities with the Arena.
- 3.4 To ensure buildings are of a bulk and scale sufficient to provide for a range of recreation activities, while not compromising the amenity and open space character which is unique at Arena.

Explanation

The Arena is the Central Sports Hub in the City. The Arena Master Plan (Master Plan) has been developed as a framework to guide the future development over the next 30 years. A number of projects for new asset capital developments are proposed in the Master Plan to ensure the Arena facilities meet future demand and support Council's strategic objectives such as those in the Active recreation Strategy. However, any development must also recognise the residential setting and the importance of consistent urban design and landscaping to create a cohesive and interesting Central Sports Hub facility.

15.8.2 METHODS

- District Plan Rules
- Arena Master Plan (refer to Map 15.2)
- Active Recreation Strategy
- Long Term Plan/Annual Plan projects
- Asset Management Plans
- Sport and Recreation Planning Framework

The objectives and policies detailed above will be primarily achieved through the rules provided for in this Plan. Such rules provide a clear, effective and cost-efficient means, particularly at the residential interface, of achieving the outcomes sought.

The Arena Master Plan may also achieve some of the objectives and policies through the Active Recreation Strategy with regard to the type of activities and buildings which are developed on the site.

15.8.3 RULES: PERMITTED ACTIVITIES**R15.8.3.1 Permitted Activities**

The activities identified below are Permitted Activities, provided that they comply with the following Performance Standards:

- i. Organised sport and recreation activities and associated grounds and playing fields.
- ii. Parking.
- iii. The use of buildings, structures and land for recreation, sporting and community activities; entertainment; agricultural, horticultural and pastoral activities; shows, conventions, conferences, exhibitions, trade fairs, demonstrations; social events; auctions and sales; sports administration.
- iv. Catering activities associated with permitted activities.
- v. Motor sports activities.
- vi. Retail activities ancillary to and directly associated with any permitted activity.

Performance Standards**(a) Lighting**

- i. Any activity or use within the Arena which requires artificial illumination shall ensure that between the hours of dusk and 10:30pm its use does not result in an added illuminance, over and above the measured ambient level, in excess of 10 lux measured in the vertical plane at the windows of residential buildings in any residential area.
- ii. After 10:30pm the maximum additional illuminance, over and above the measured ambient level, measured in the vertical plane at the windows of residential buildings in any residential area shall be 8 lux.

Explanation

The lighting rules are designed to contain exterior lighting within the Arena Zone and to avoid the overspill of light and glare from floodlights, lighting towers, signboards and the like onto neighbouring residential properties. The design and placement of floodlighting is managed to prevent the intrusion of light onto neighbouring residential properties.

(b) Hours of Operation

- i. Any outdoor activity or event shall commence not earlier than 8:00am and shall cease by 10:30pm.
- ii. Any other activity shall not commence before 7:00am and shall cease by 1:00am.
- iii. These provisions shall not apply to activities associated with the setting up or organising of any permitted activity.

(c) Signs

Compliance with R6.1.5.

R15.8.3.2 Buildings and Structures Associated with Permitted Activities

The following are Permitted Activities, provided that they comply with the following Performance Standards:

- (i) New buildings and structures at the Arena, including ancillary administration offices.
- (ii) New buildings, structures and land used for recreation, sporting and community activities; entertainment; shows, conventions, conferences, exhibitions, trade fairs, demonstrations; social events; auctions and sales.
- (iii) New buildings and activities associated with the maintenance of Arena.
- (iv) All existing buildings onsite as at 26 April 2017.
- (v) Alterations and additions to existing buildings.

Performance Standards**(a) Building Size**

- i. Any new single building or structure, or alteration to an existing building shall not exceed a gross floor area of 300m².

Explanation

The building size control limits the size of buildings that can be constructed in the Arena Zone to ensure that the nature and type of development can be suitably accommodated on site and that recreation, visual and neighbouring residential amenity values are not detrimentally affected. Changes to existing buildings and new buildings potentially can impact on the bulk and overall developed nature of the site. The restriction in the size of buildings will ensure issues of bulk are managed and the amenity and open space character is maintained within the Zone.

(b) Height

- i. Where any building or structure directly adjoins a residentially zoned site, compliance with R10.6.1.1 (a) except that there shall be no maximum height.
- ii. Notwithstanding (i) above, all buildings and structures shall comply with the requirements of R13.4.7.

Explanation

The height of a building and/or structure may compromise the amenity of adjoining properties. This rule is applied to protect the amenities of adjoining properties from effects such as the visual dominance of buildings, overshadowing and loss of privacy and daylight.

(c) Separation Distances

Gross Floor Area of Building	Minimum Separation Distance from Residentially
Up to 300m ²	8m

Explanation

This rule prevents adverse impacts occurring from inappropriate building bulk being located in close proximity to residential properties. Effects may include the loss of privacy, overshadowing and/or the noise generated by a building's use.

(d) Signs

Compliance with R6.1.5.

(e) Lighting

- (i) All public and private pedestrian routes must provide pedestrian lighting designed and installed in accordance with the P2 lighting subcategory of AS/NZS Standard 1158.3.1:2005.
- (ii) Any artificial lighting system shall ensure that its use does not result in added illuminance over and above the measured ambient level, in excess of 8 lux measured in the vertical plane at the windows of any residential building in any residentially zoned site.
- (iii) All external car parking areas must provide lighting designed and installed in accordance with the P11a lighting subcategory of AS/NZS Standard 1158.3.1:2005.
- (iv) Designated external car parking spaces specifically intended for people with disabilities must provide lighting designed and installed in accordance with the P12 lighting subcategory of AS/NZS Standard 1158.3.1:2005

Explanation

Light spill associated with some activities can have an adverse impact on residential amenity. The imposition of a standard to control the level of illumination which occurs at the residential interface endeavours to mitigate the effect on residential amenity of excessive light spill.

(f) Landscape Amenity

- (i) Any building which fronts the Residential Zone and contains a carpark which fronts the Residential Zone, will provide at least once specimen tree for every 7 metres of site frontage, or equivalent suitable landscape works.
- (ii) Trees will be planted so as to provide separation between on-site pedestrian and vehicle activities and pedestrian/vehicular activities taking place on the street.
- (iii) Trees will be well developed specimen trees, capable of growing to a height of 5 metres within ten years of planting.
- (iv) Where existing trees over 5 metres tall are to be retained along a frontage, these trees will be credited towards these requirements.
- (v) Where trees are planted in a strip, this area must have a minimum width of two metres. Where trees are planted individually along a frontage, each tree must be planted in an area not less than 4m²

(h) Outdoor Storage

Any area used for the outdoor storage of goods, products, equipment, materials or waste cannot be located at the street edge. If an area used for outdoor storage of goods, products, equipment, materials or waste can be viewed from adjacent residential areas or roads, the outdoor storage area shall be screened from those residential properties and roads, by a fence of not less than 1.8 metres in height, or planting of trees and vegetation capable of growing to 1.8m in height. This shall not exclude the provision of gates or other access points. This shall exclude outdoor storage for events lasting up to 30 days.

Explanation

Outdoor storage areas, particularly those used for the storage of waste, can detract from the visual amenity and pleasantness of adjacent residential environments and road users. Screening of such areas will ensure the maintenance of a high standard of neighbourhood environmental amenity.

(i) Hazardous Substances

Compliance with the provisions of Section 14 - Hazardous Substances.

(j) Parking, Loading 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;
- 20.4.2(g) Cycle Parking Provision and Design;
- 20.4.2(h) Cycle Parking End of Trip Facilities.

Explanation

The Council recognises the regional role of the Arena Complex and that at times there is insufficient parking to cope with the demand generated by the types of activities and functions which occur within the Zone. The parking standard has attempted to balance the nature and role of the Arena Complex as a major regional recreation and leisure facility with the need to protect the amenities of surrounding areas.

R15.8.3.3 Minor Temporary Military Training Activities

Minor Temporary Military Training Activities (excluding live firing of weapons, firing of blank ammunition, single or multiple explosive events) are Permitted Activities 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 performance standards (b) and (c) of R15.8.3.2.

Any buildings erected in association with the Military Training Activity must be removed at the conclusion of the activity.

(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 provisions 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 the following noise limits:

Sound emissions from fixed (stationary) noise sources, excluding live firing of weapons and single or multiple explosive events, when measured at any point within any land zoned for residential purposes or at the notional boundary of any noise sensitive activity (other than a site from which noise is emitted or a road), shall not exceed the following limits:

7.00am – 7.00pm	55 dB LAeq(15mins)
7.00pm – 10.00pm	50 dB LAeq(15mins)
10.00pm to 7.00am	45 dB LAeq(15mins)
Night-time L _{max} 10.00pm to 7.00am	75 dBA L _{max}

Notional boundary is defined as a line 20m from any side of a dwelling or the legal boundary where this is closer than the dwelling.

(iii) Sound emissions from any other activity sources (excluding live firing of weapons, firing of blank ammunition, single or multiple explosive events and the noise sources listed in R15.8.4.3(e)(i) and (ii) above – Compliance with the R15.8.7.1.

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 performance standards 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.

15.8.4 RULES: RESTRICTED DISCRETIONARY ACTIVITIES**R15.8.4.1 Buildings and Structures which do not comply with the Performance Standards or specific development at the Arena.**

The following are Restricted Discretionary activities:

- (i) Buildings and Structures which do not comply with the Performance Standards in relation to:
 - a. Parking and Cycle Parking
 - b. Separation Distances
 - c. Building Size
 - d. Landscape Amenity
- (ii) Relocation of the stockcar pits
- (iii) Alterations to any entrance, including ticket or gate booths to the Arena.

- The Safe and Efficient Operation of the Land Transport Network;
- The Provision of Car Parking;
- The Provision of Cycle Parking Facilities
- Effects on neighbouring residential dwellings;
- Frontages and presentation to surrounding streets;
- Overall design Quality including signage and branding;
- Quality of space, connections and landscape;
- Development being in general accordance with the Arena Master Plan (Map 15.2).

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 Arena Zone objectives and policies, assess any application in terms of the following assessment criteria:

Assessment Criteria

(a) Parking and Cycle Parking

- i. The extent to which parking not accommodated on the site, effects the safe and efficient operation of the land transport network and on residential amenity values.
- ii. The extent to which off-site parking is available to meet the need generated for parking.
- iii. Whether the possible low frequency of the need for the total parking requirement is recognised.

(b) Separation Distances

- i. The extent to which the effects on noise and other environmental disturbance to surrounding residential areas are avoided or mitigated.
- ii. The extent to which the location of the building contributes positively to the character and amenity values of the surrounding environment.

Explanation

In certain circumstances it will not be possible for either the parking requirements or the separation distances to be achieved. The additional policies are intended to assist in assessing, in conjunction with the matters covered by Section 104 of the Act, the appropriateness of granting consent and the need for conditions.

The Arena Zone recognises the need for multipurpose civic and carparking space to cater for the different requirements for each event. Community events may require convenient parking onsite whereas major events would be expected to have a pedestrian concourse area for spectator congregation.

(c) Entrance Hierarchy

- i. A primary main entrance point from the corner of Waldegrave Street and Cuba Street is provided for in general accordance with the Arena Master Plan (Map 15.2).
- ii. Secondary entrance points are provided for at Waldegrave Street, Pascal Street, Cuba/Cook Streets and Oakley Street in general accordance with the Arena Master Plan.
- iii. The extent to which the spatial planning and overall aesthetic of entrances and their associated spaces contributes toward a clear understanding of where

users are within Arena.

- iv. The extent to which major and minor entrance spaces are differentiated to create a unique character for individual entrance points whilst retaining overall coherency as part of Arena.

(d) Built Frontages

- i. The extent to which building entrances and internal activities are located to encourage activity at the street edge and onto internal concourse spaces.
- ii. Whether blank walls at the street edge are avoided.

(e) High Quality Civic Space

- i. The extent to which a high-quality pedestrian-orientated civic space is created at the Waldegrave Street/Cuba Street entrance.
- ii. The extent to which welcoming entrance spaces are created through spatial definition and landscaping treatments.

(f) Connectivity

- i. The extent to which pedestrian access is provided for from entrance points to facilities within the Arena.
- ii. The extent to which internal pedestrian circulation with obvious north/south and east/west connectivity is provided for.
- iii. The degree to which clear and easy wayfinding is provided for via signage, naming conventions and physical expression.
- iv. The degree to which the need for both vehicle and pedestrian movement is recognised to provide safe and convenient access to Arena facilities.

(g) Landscaping

- i. The degree to which car parks are located and landscaped to present a quality edge to the street.
- ii. The extent to which any proposed landscaping relates to an Arena-wide approach.
- iii. The extent to which landscaping along the Cuba Street frontage reinforces Cuba Street as the key pedestrian route back to the central City.

(h) Identity

- i. The extent to which the special amenity and open space character of the Arena as the City's Central Sports Hub is expressed through:
 - a. Providing for sport activities and associated buildings.
 - b. The creation of good quality open spaces.
- ii. The extent to which any new building or structure is coherently designed and is of demonstrably high design quality to contribute positively to the identity of the Arena and City.
- iii. The extent to which spaces are differentiated in terms of aesthetic to contribute toward legibility for users.

(i) Overall Design Quality

- i. The extent to which all new development contributes, depending on its scale, in a minor or major way to the amenity and quality of the Arena as a whole.
- ii. The extent to which new large buildings or structures demonstrate high design

quality design contributing positively to their adjacent routes and spaces.

- iii. The extent to which lighting is designed in a manner that it contributes to the image as well as the functionality and safety of the Arena.

(j) Effects on Neighbouring Residential Dwellings

- i. The extent to which the noise from Speedway activities is attenuated.
- ii. The extent to which the location of any building or structure avoids or mitigates effects on the recognised amenity values of the surrounding area.

(k) Operational Needs

- i. The extent to which operational matters are taken into account when giving effect to the Arena Master Plan (Map 15.2)

Explanation

The Arena is a Central Sports Hub which presents the city to the wider world, particularly during televised events and for those visiting Palmerston North. The quality of development should therefore respond to that function and maintain the special character of the Zone. The Arena Zone is different from other parts of the city and should be celebrated as an important city destination for recreation and community events. In having a different character to other parts of the city, development at the Arena must also respond appropriately to its residential setting.

The Arena Zone recognises the need for multipurpose civic and carparking space to cater for the different requirements for each event. Community events may require convenient carparking onsite whereas major events would be expected to have a pedestrian concourse area for spectator congregation.

The Arena Zone recognises that multiple activities may occur at one time and rely on operational efficiency to accommodate a multipurpose sports facility. The Arena Zone seeks to provide for the day-to-day requirements of operating the site, whilst upholding the integrity of the Arena's strategic vision.

15.8.5 RULES: DISCRETIONARY ACTIVITIES

R15.8.5.1 Discretionary Activities

Any Building or Activity not Provided for as a Permitted, Restricted Discretionary Activity or Non-Complying Activity 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 Arena Zone objectives and policies, assess any application in terms of the following further assessment criteria:

Assessment Criteria

- a. The extent to which adverse effects relating to noise, hours of operation and other environmental disturbance on surrounding residential neighbourhoods is avoided or mitigated.
- b. The extent to which the effects of the generation of additional traffic have been provided through efficient and effective parking and access provisions.
- c. The extent to which additional traffic generated has effects on the efficiency and effectiveness of the land transport network.
- d. The extent to which the design and appearance of any structure contributes positively to the character and amenity values of the surrounding residential environment.
- e. The extent to which the proposal is consistent with the Arena Master Plan (Map 15.2).

Explanation

This category of activity is intended to deal with activities and facilities which do not fall within the other categories provided for in this Zone. As such they are essentially "one-off" developments which need careful assessment to ensure that effects can be avoided, remedied or mitigated, that they fit

into the existing environment and do not undermine the essential character of the Zone.

NOTE TO PLAN USERS

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

R15.8.5.2 Minor and Extended Temporary Military Training Activities

Minor and extended temporary military training activities which do not comply with the Permitted Activity performance standards of R15.8.3.1, including live firing of weapons, firing of blank ammunition, single or multiple explosive events, are 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 Arena Zone Objectives and policies, assess any application in terms of the following assessment criteria:

Assessment Criteria

- (a) The extent to which adverse effects of noise, hours of operation, and other environmental disturbance on the users of the Arena and surrounding residential properties are avoided or mitigated.
- (b) The extent to which the visual impact of any activities preserve the character and amenity of the Arena Zone.
- (c) The extent to which effects of the proposal on any areas of natural and/or cultural heritage value, or of significance to tangata whenua are avoided or mitigated.
- (d) The extent to which the effects of noise, including the peak sound levels resulting from impulsive noise impacts on noise sensitive activities.
- (e) The extent to which a Noise Management Plan, prepared by an acoustical consultant and submitted at the time of application for a resource consent, identifies the likely noise impacts for the area and describes the noise management measures to avoid, remedy or mitigate adverse effects of noise, including best practicable options adopted to minimize sound emissions from live firing of weapons, firing of blank ammunition and single or multiple explosive events.
- (f) The extent to which a community consultation programme, submitted at the time of application for a resource consent, has been developed for communication with occupiers and owners surrounding the site and Council will be implemented prior to the military training activities commencing, and includes notification of event, updates during the event, methods for following up complaints received during or after the event and the process of liaison with Council.

15.8.6 RULES: NON-COMPLYING ACTIVITIES

R15.8.6.1 Crematoria

Crematoria are Non-Complying Activities.

Explanation

Crematoria have a range of potential effects that could adversely affect the amenity qualities of the Zone including adverse effects on social and cultural matters. The application of Non-Complying Activity status to these activities will ensure that any Crematoria has to demonstrate that it can satisfy the requirements of Section 104 and 104D of the Resource Management Act 1991 prior to any approval being granted.

15.8.7 RULES: NOISE

R15.8.7.1 Noise

- (a) Subject to clause (b), public address systems or mechanically powered machines or vehicles when operated within the Arena Zone shall not exceed the following at any

point within the boundary of any land zoned Residential

7.00am to 10.30pm	55 dB $L_{Aeq(15mins)}$
10.30pm to 7.00am	45 dB $L_{Aeq(15mins)}$
Night-time L_{max} 10.00pm to 7.00am	75 dBA L_{max}

This shall be described as the Prescribed Noise Limits.

- (b) The Prescribed Noise Limits may be exceeded by Special Entertainment Events on not more than thirty (30) occasions per calendar year provided that no less than fourteen (14) days prior to the event a public notice is given of such an event in a newspaper circulating in the City and information is contained on the organisation's web page. Public notice for all events in one calendar year is acceptable, provided that the public notice is publicly available during the entire calendar year.

- i. The notice shall inform the general public of:

- The nature of the event.
- The proposed dates and start and finish times of any sound testing, the event and any possible postponement dates.
- That the Prescribed Noise Limits may be exceeded.

The event shall be deemed to have taken place upon the act of notification even though Prescribed Noise Limits may be exceeded or should the event be cancelled.

- ii. Where a sporting event is controlled by a governing body, such as the Speedway Board of Control, then organisers shall clearly demonstrate that all competing machines have been individually tested and that they currently comply with the present noise rules of that body.
- iii. Music, performance or mechanical sounds from any event shall be designed, tested and operated to not exceed 80 dBA $L_{Aeq(2mins)}$ when measured over any two-minute period at a position any point with the boundary of any land zone residential. Fireworks displays are exempt from this noise limit but should be otherwise notified in accordance with (i) above.
- iv. Construction work associated with any event shall only occur between the hours of 8:00am and 10:30pm.
- v. Events that have been publicly notified shall not take place between the hours of 10:30pm and 8:00am.
- vi. Sound testing and tuning of equipment, or practice, shall not commence before 8:00am on the day of the concert or event, shall not last longer than 3hrs, and shall cease at least 2 hours before the scheduled concert or event start time.
- vii. Pulling down of fixtures and fittings and pack out shall comply with the Prescribed Noise Limits at all times.

- (c) Without limiting this rule, the term "mechanically powered machines and vehicles" may include:

- i. Mechanical services equipment
- ii. Vehicles and any devices used for racing, performance and/or exhibition.

- (d) With the exception of those Special Entertainment Events for which provision is made, noise emission levels generated by all public address systems operated within the Arena Zone must be designed, tested and operated such that, in isolation, they

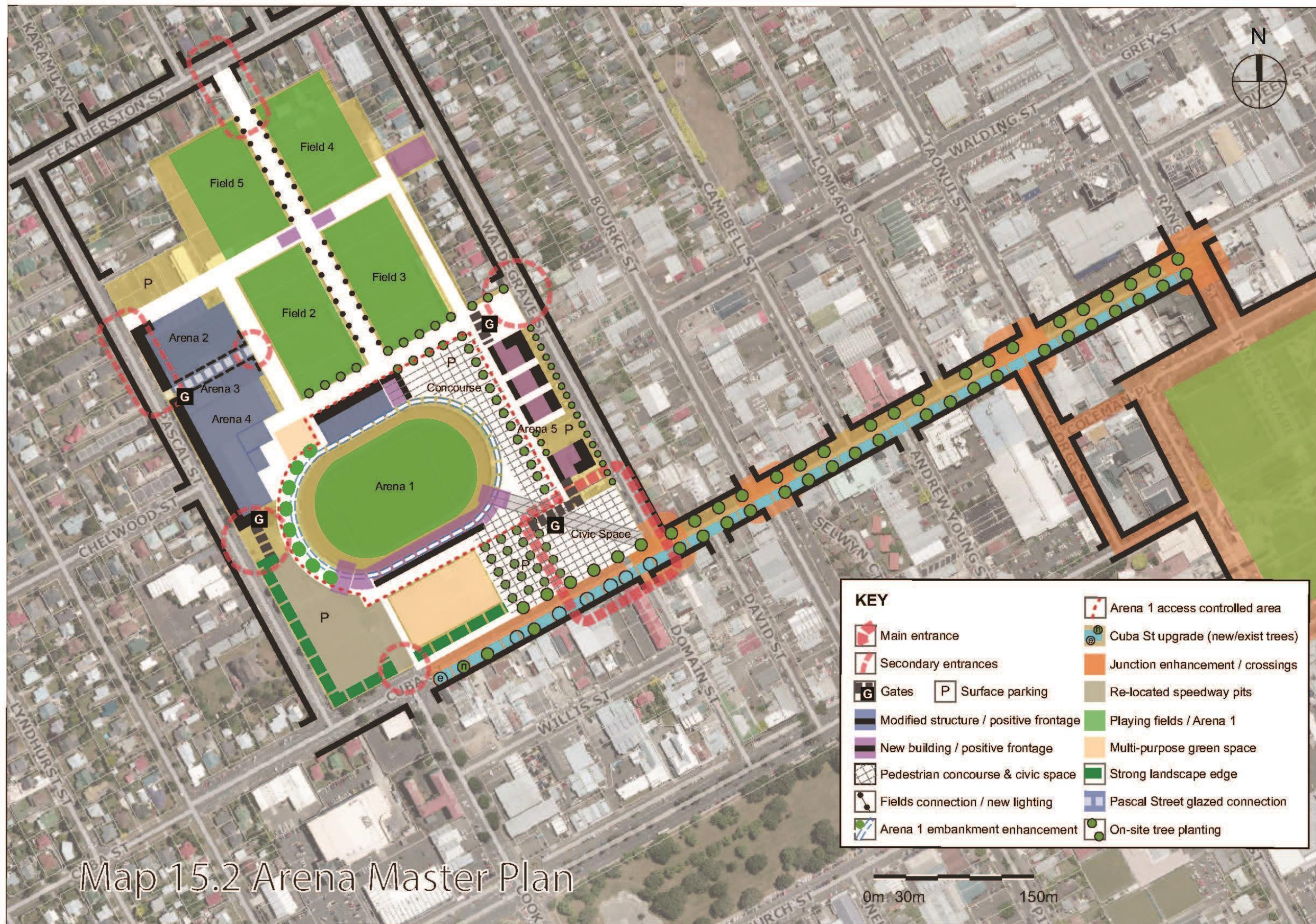
comply with the Prescribed Noise Limits. Exempt from this rule are public address systems that are dedicated to safety broadcasts. The microphone and level controls of public address systems that are dedicated to safety shall be kept obviously separate from any other public address system and shall be used only in circumstances where safety is an issue.

Explanation

The diverse activities which occur within the Arena Zone combined with its proximity to several residential areas means that some general disturbance from noise effects will occur. Equally many of the activities have been long established on the site or are activities for which there is no alternative venue.

Council, in dealing with these complex issues, has determined that the most appropriate course is to get a prescribed noise standard, and then to make specific provisions for that standard to be exceeded on a certain number of occasions, under specific limitations. The public notification of such Special Entertainment Events provides an early warning for nearby residents and allows them the opportunity to prepare for the potentially noisier event.

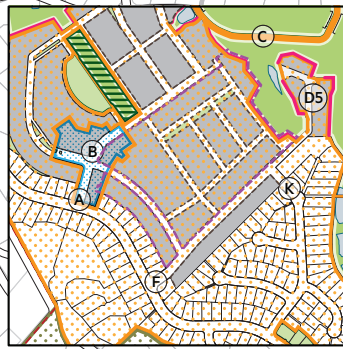
Map 15.2 Arena Masterplan



KEY

(Items marked with an asterisk * are Fixed. See Section 7A. Policy 51)

- Structure Plan Boundary *
- Aokautere Greenfield Residential Area *
- Aokautere Rural Residential Overlay Area *
- Proposed Development
- Rural area * Institutional area *
- Reserves (flat playable)
- Reserves (gully networks for stormwater management, G1-G12)
(G13-20 indicate indigenous vegetation and wetland features recommended for reservation. Actual reserve boundaries would be broader in these areas) *
- Indigenous forest (F1-F4) recommended to be retired, protected and restored *
- Wetland feature
- Stormwater detention ponds
- 5m perimeter stormwater swale *
- 15m Moonshine Valley zone interface setback *
- Transmission Lines
- Retirement Village Alternative
- Proposed streets
- Existing streets
- A** New connection through 129 Pacific Drive *
- B** Neighbourhood Centre *
- C** Cross-gully link
- D** (D1-D5) Promontories
- E** New connection through 30 Abby Road *
- F** New connection through 153 Pacific Drive *
- G** New connection through 208 Pacific Drive *
- H** Continuation of Valley Views *
- I** Peri-Urban Road connection into Turitea Road *
- J** 40m setback from SH57 *
- K** Potential future connection into Silicon Way
- L** Water tank (existing)
- M** Intersection upgrade at SH57 Aokautere Drive / Pacific Drive *
- N** Junction upgrade at Pacific Drive / Abby Road *
- O** Junction upgrade at Pacific Drive / Johnstone Drive *
- P** Indicative future access
- Q** Pedestrian / cycle link & possible future road link
- R** Intersection upgrade - SH57 / Johnstone Drive *
- ⊕** Connection under different land tenure control



Retirement Village Alternative

KEY

(Items marked with an asterisk * are Fixed. See Section 7A. Policy 5.1)

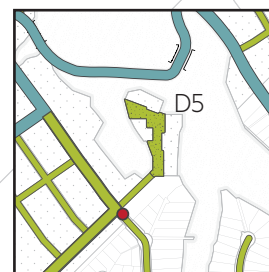
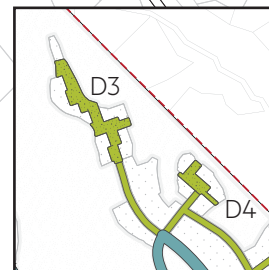
- State Highway Corridor (existing)
- Urban Connector / District Plan Collector
Types A*, B*, E* C, D
- Activity Street / District Plan Collector *
- Local Street / District Plan Local Road
- Shared Surface / District Plan Local Road
- Peri-Urban Road / District Plan Local Road
- Private Street
- Rural Road (existing)
- Proposed Streets
- Existing Streets
- Potential Future Connection
- Retirement Village Alternative



Retirement Village Alternative



Shared Surface
Alternative for
Medium Density



Aokautere Structure Plan

Map 7A.4A

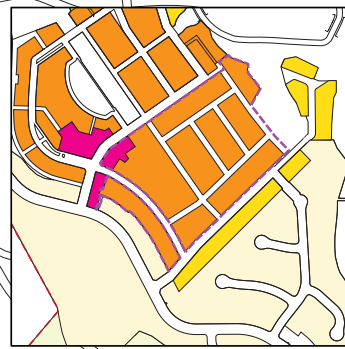
Street Hierarchy

(see Map 7A.4D for street type classifications)

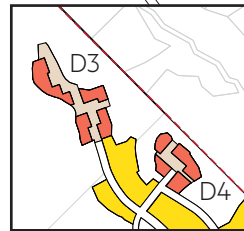
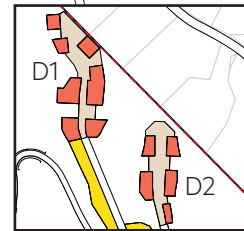
KEY

(The extent of the areas marked with an asterisk * are Fixed)

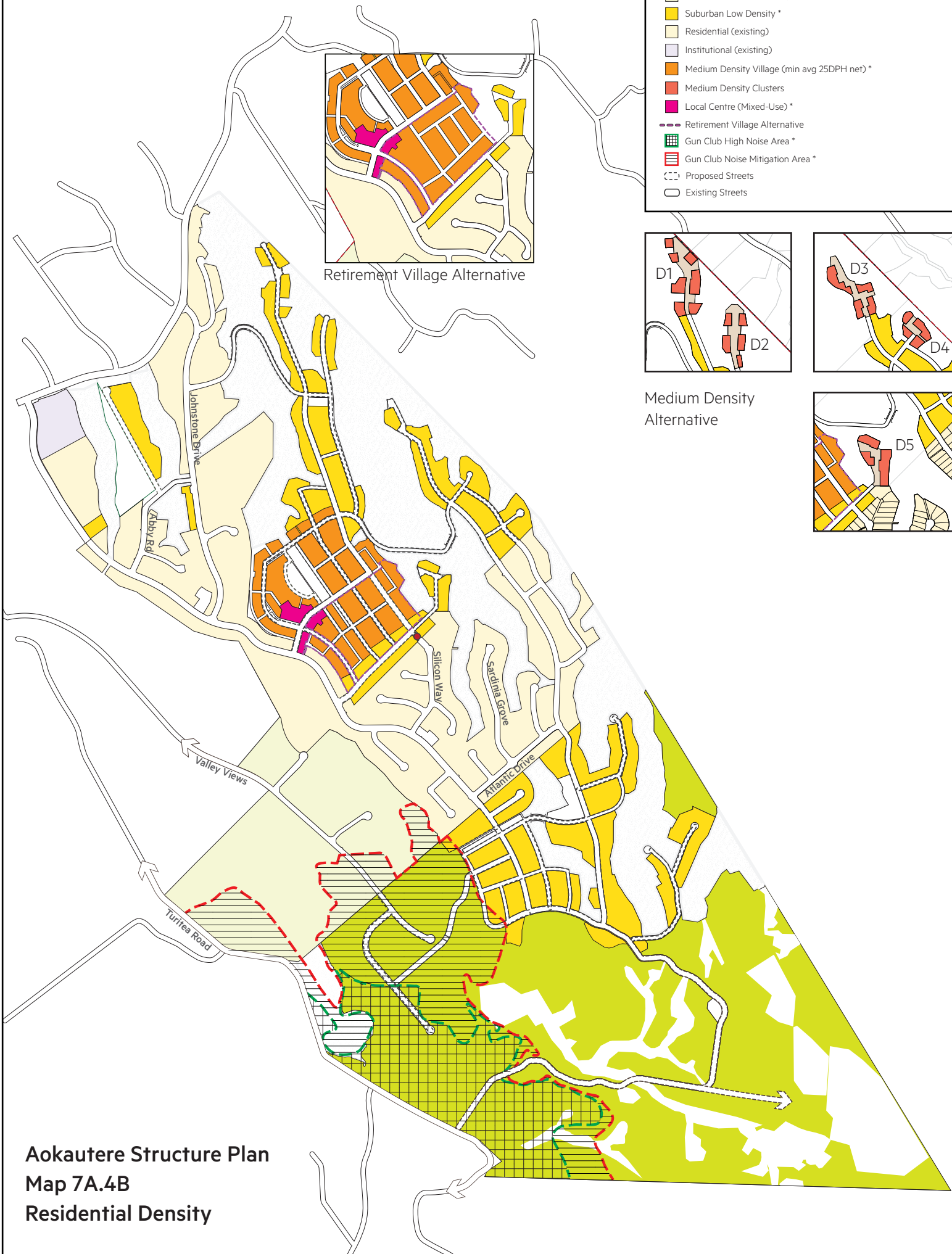
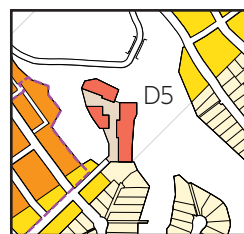
- Rural Residential Overlay *
- Rural Residential (existing)
- Suburban Low Density *
- Residential (existing)
- Institutional (existing)
- Medium Density Village (min avg 25DPH net) *
- Medium Density Clusters
- Local Centre (Mixed-Use) *
- Retirement Village Alternative
- Gun Club High Noise Area *
- Gun Club Noise Mitigation Area *
- Proposed Streets
- Existing Streets



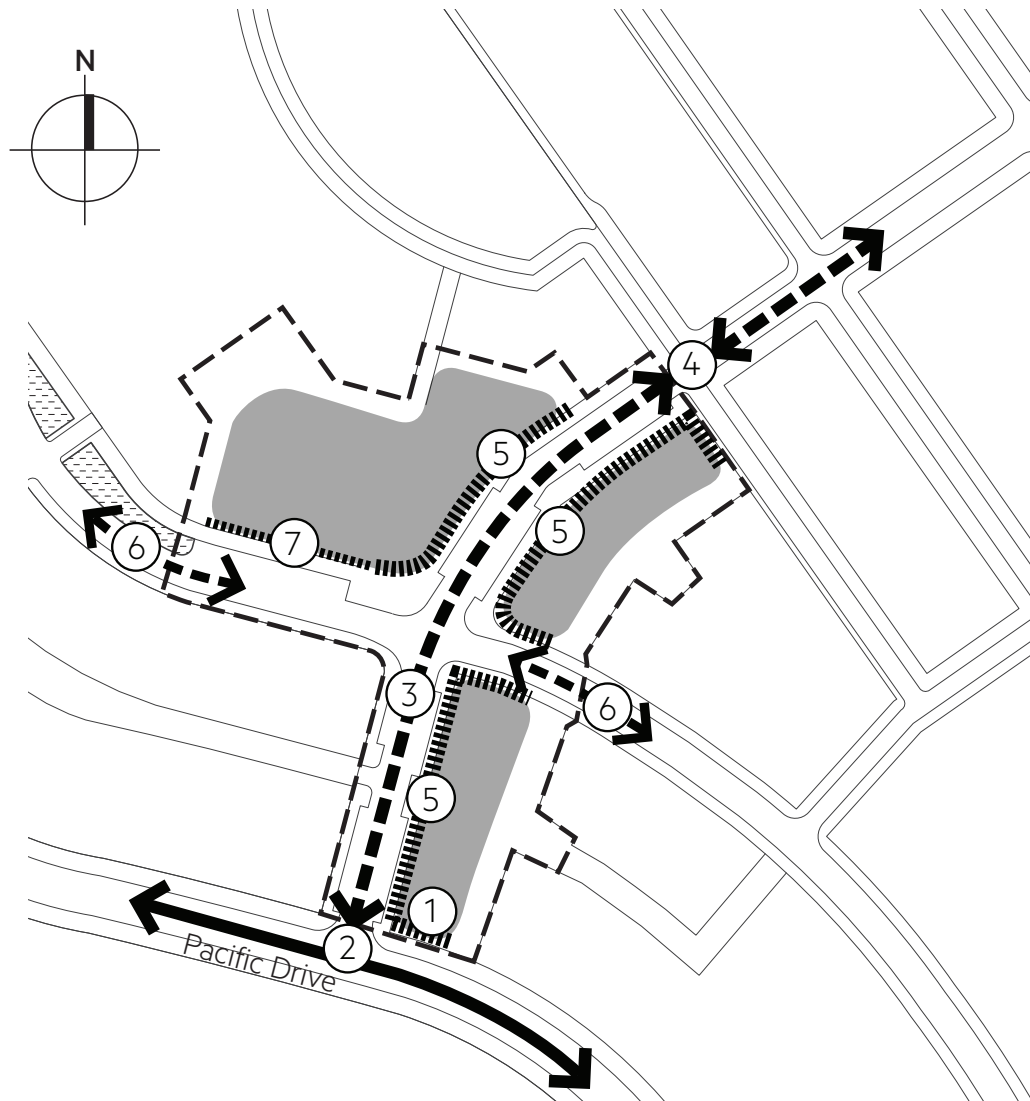
Retirement Village Alternative



Medium Density Alternative



Aokautere Neighbourhood Centre
Map 7A.4C
Precinct Plan



Key

(Items marked with an asterisk * are Fixed. See Section 7A. Policy 5.1)

- Local Neighbourhood Centre Boundary *
- Development areas. On-site parking/servicing contained behind buildings *
- 1 Primary commercial frontage onto Pacific Drive *
- 2 Activity Street connects with Pacific Drive *
- 3 Activity Street connection through the Centre *
- 4 Direct connection into Urban Connector Street *
- 5 Primary commercial frontage facing Activity Street *
- 6 Local Street connections into proposed housing
- 7 Secondary commercial frontage

KEY

(Items marked with an asterisk * are Fixed. See Section 7A. Policy 5.1)

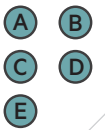
- State Highway Corridor (existing)
- Urban Connector / District Plan Collector
Types A*, B*, E* C, D
- Activity Street / District Plan Collector *
- Local Street / District Plan Local Road
- Shared Surface / District Plan Local Road
- Peri-Urban Road / District Plan Local Road
- Private Street
- Rural Road (existing)
- Proposed Streets
- Existing Streets
- Potential Future Connection
- Retirement Village Alternative

Cross-section dimensions 7A.4D 1-14 *



Retirement Village Alternative

URBAN CONNECTOR



ACTIVITY STREET



LOCAL STREET



PERI-URBAN ROAD



Aokautere Structure Plan

Map 7A.4D

Street Types

(see Maps 7A.4D 1 - 14 for street cross-sections)

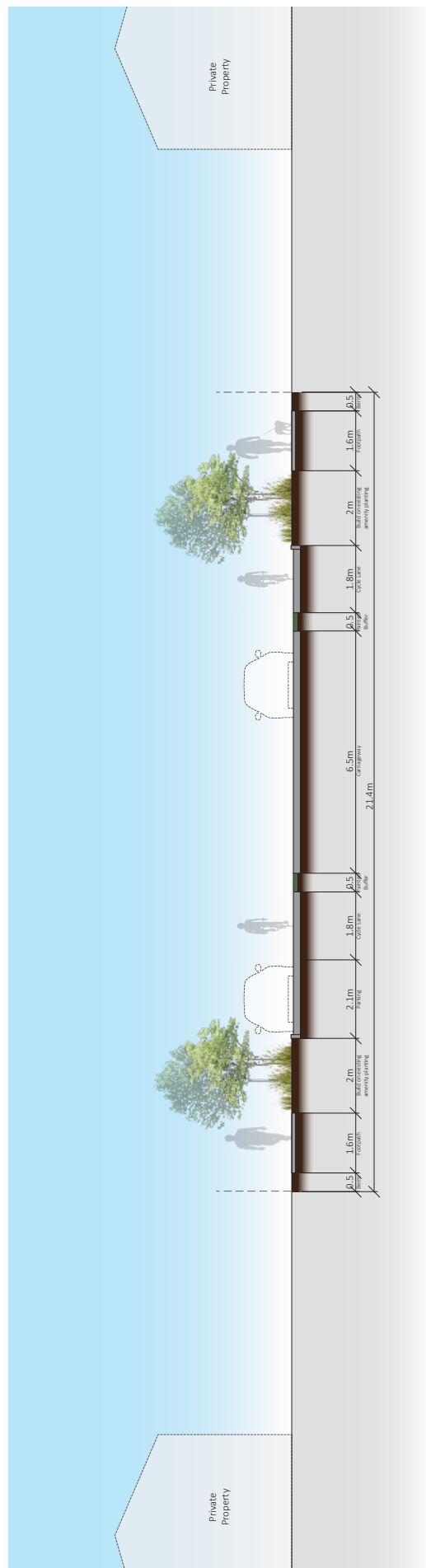
Urban Connector

A

Notes:

- Existing Pacific Drive modified
- Target operating speed 50km/h

Aokautere Structure Plan
Street Cross Section
7A.4D 1*



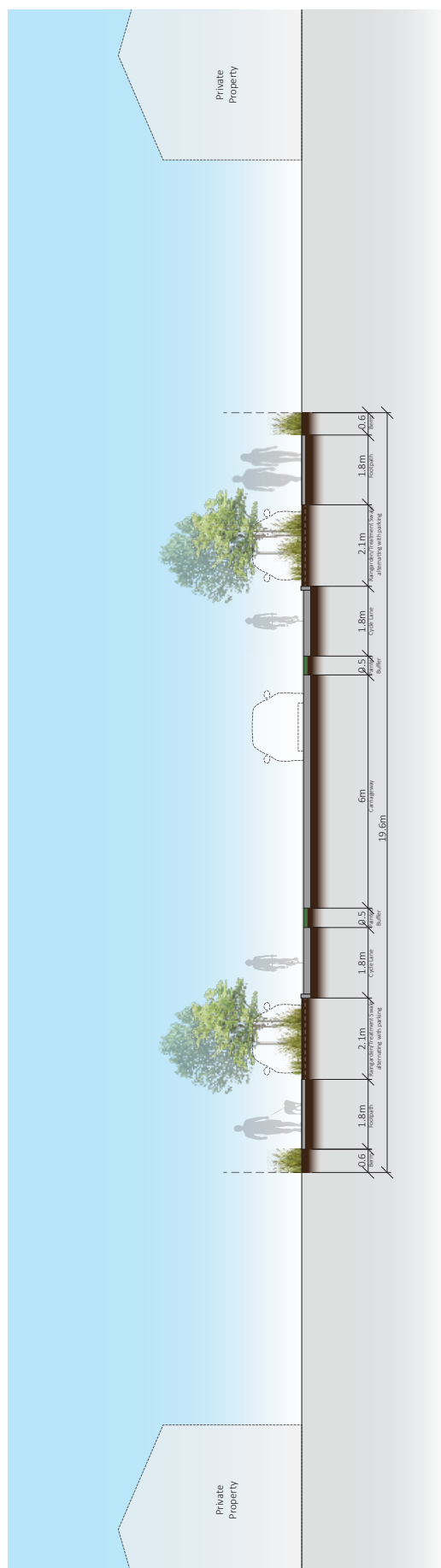
Urban Connector

B

Notes:

- Target operating speed 50km/h
- Cross-section and horizontal alignment to allow for bus routes and stops

Aokautere Structure Plan
Street Cross Section
7A.4D 2*

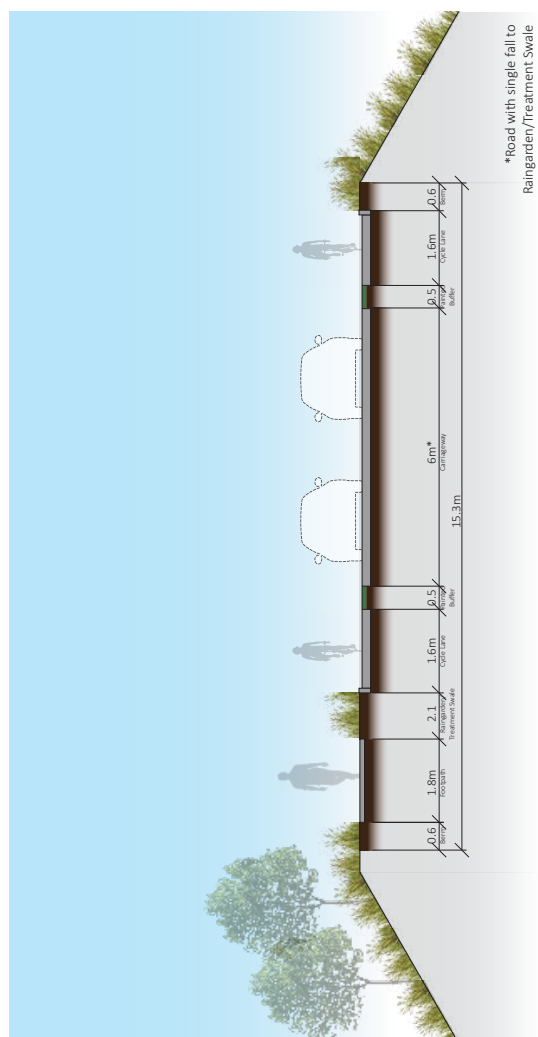


Urban Connector

C

Notes:

- Target operating speed 50km/h
- Cross-section and horizontal alignment to allow for bus routes and stops



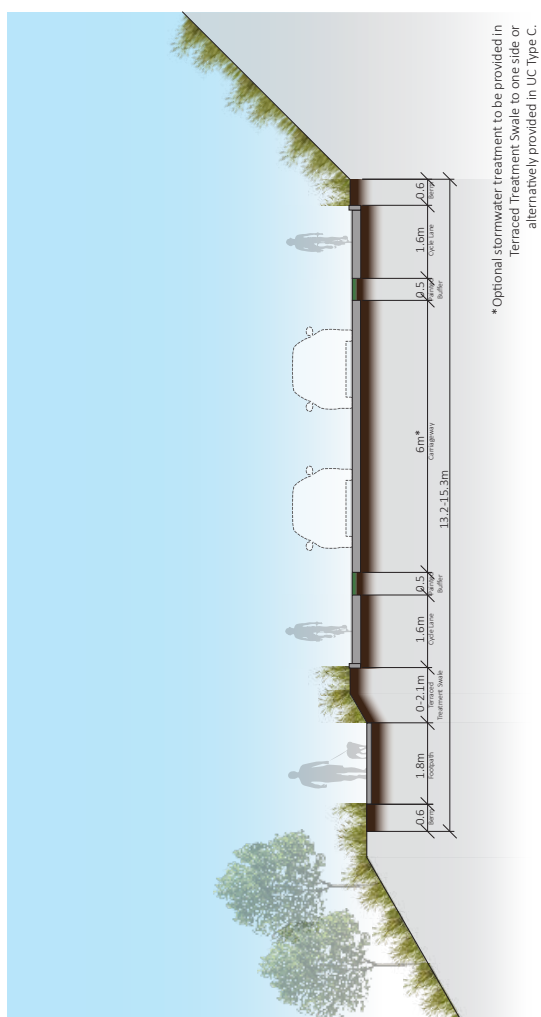
Aokautere Structure Plan
Street Cross Section
7A.4D 3*

Urban Connector

D

Notes:

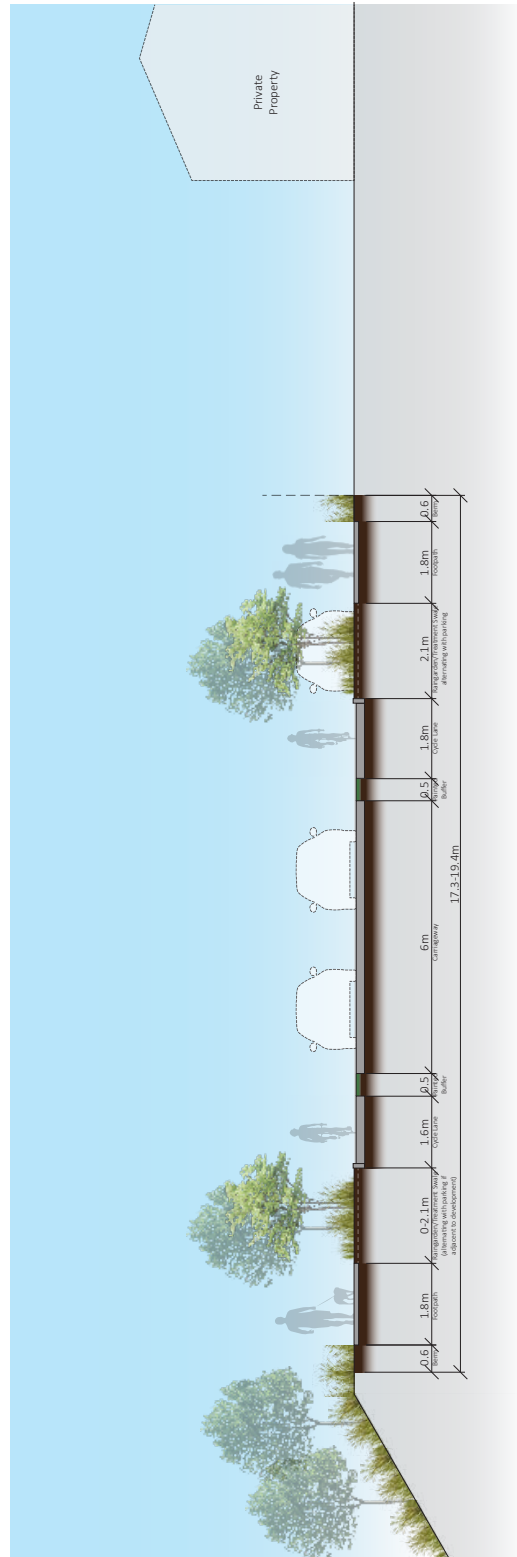
- Target operating speed 50km/h
- Cross-section and horizontal alignment to allow for bus routes and stops
- No stormwater to drain towards the gully edge



Aokautere Structure Plan
Street Cross Section
7A.4D 4*

E

- Target operating speed 50km/h
- Cross-section and horizontal alignment to allow for bus routes and stops
- No stormwater to drain towards the gully edge



Aokautere Structure Plan
Street Cross Section
7A.4D 5*

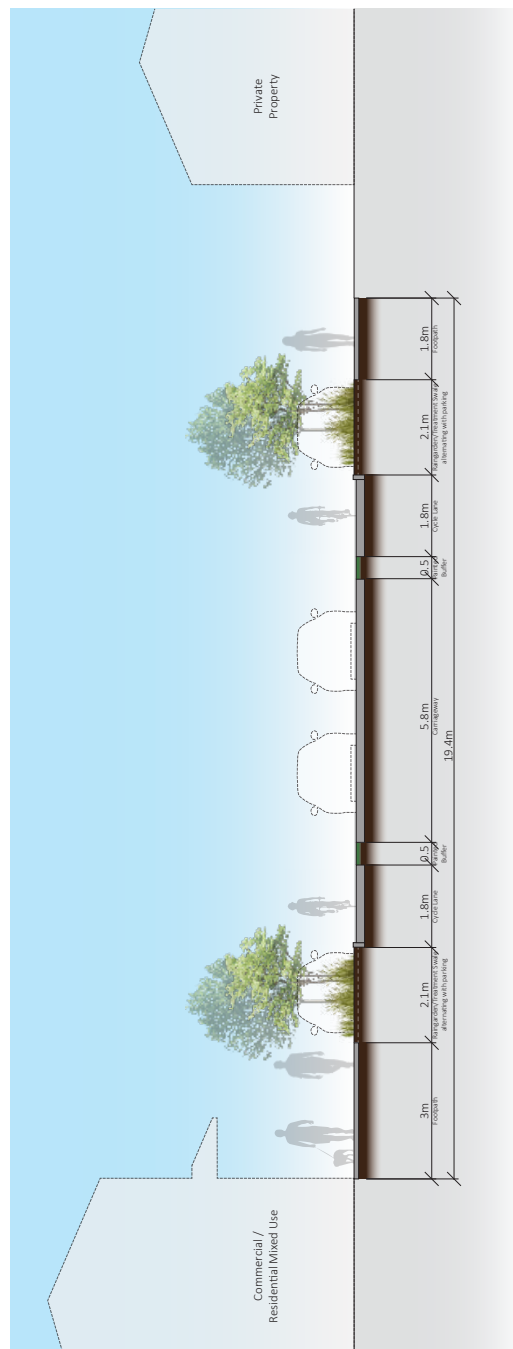
Activity Street

A

Notes:

- Target operating speed 30km/h
- Cross-section and horizontal alignment to allow for bus routes and stops

Aokautere Structure Plan
Street Cross Section
7A.4D 6*

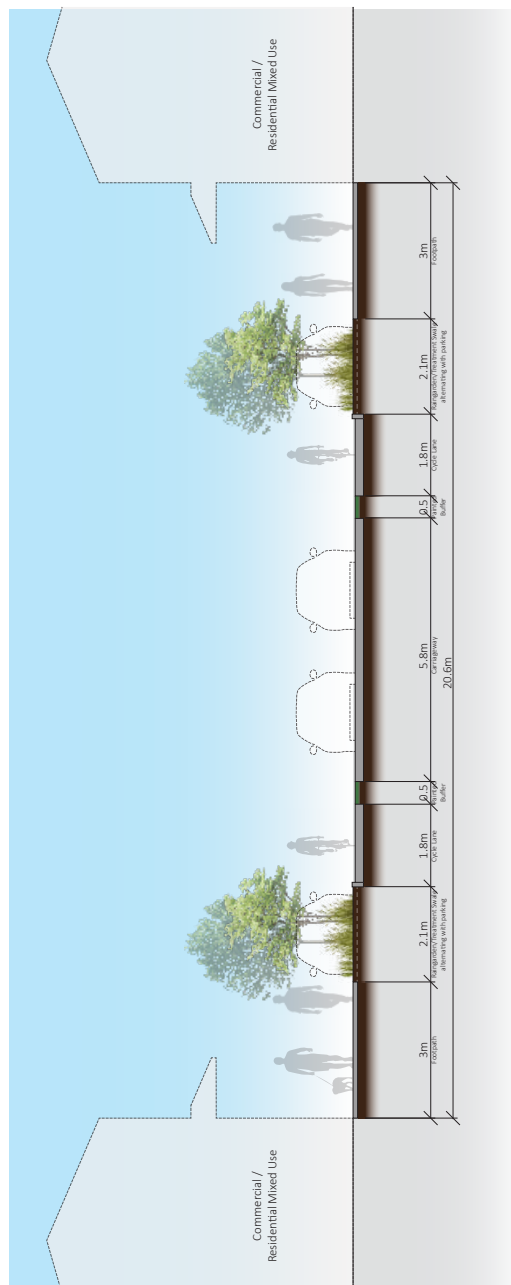


Activity Street

B

Notes:

- Target operating speed 30km/h
- Cross-section and horizontal alignment to allow for bus routes and stops



Aokautere Structure Plan
Street Cross Section
7A.4D 7*

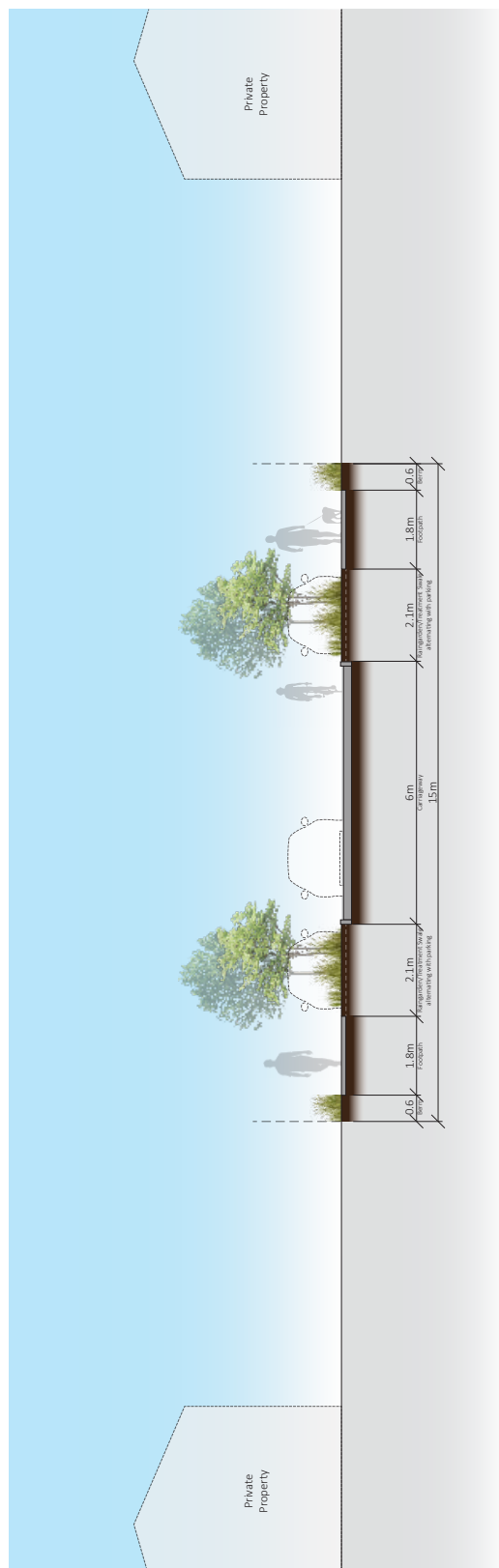
Local Street

A

Notes:

- Target operating speed 30km/h
- No stormwater to drain towards the gully edge

Aokautere Structure Plan
Street Cross Section
7A.4D 8*

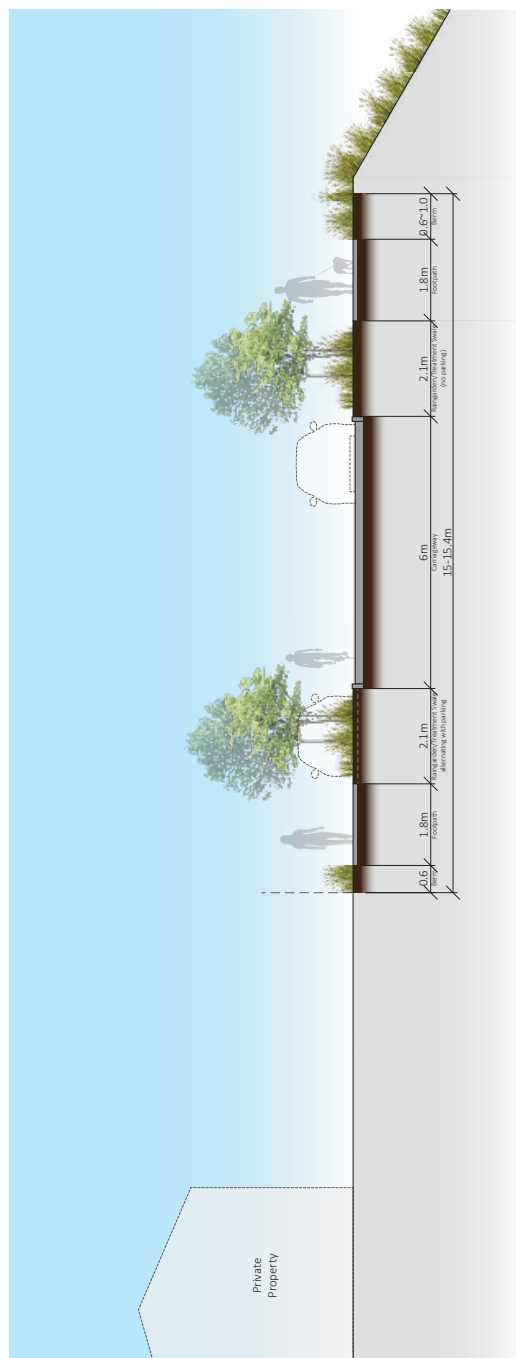


Local Street

B

Notes:

- Target operating speed 30km/h
- No stormwater to drain towards the gully edge



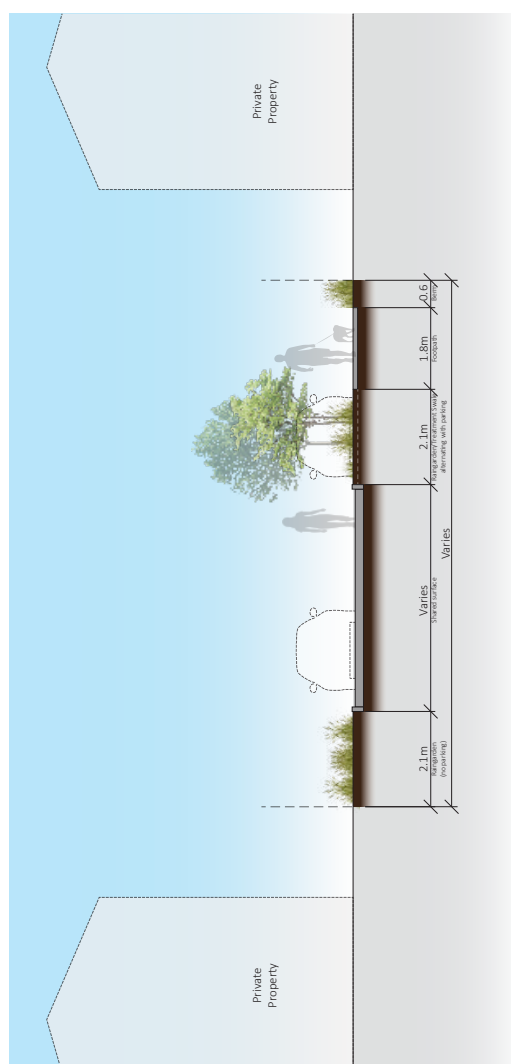
Aokautere Structure Plan
Street Cross Section
7A.4D 9*

Local Street (shared surface)

C

Notes:

- Target operating speed 10 to 20km/h
- No stormwater to drain towards the gully edge



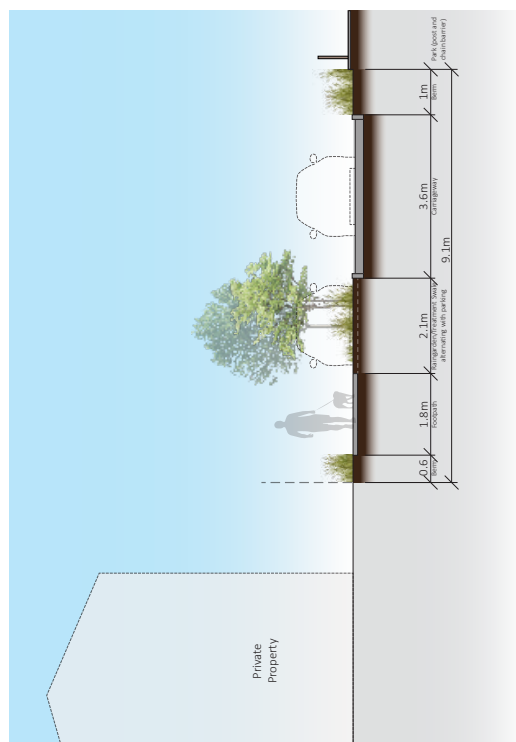
Aokautere Structure Plan
Street Cross Section
7A.4D 10*

Local Street (one-way)

D

Notes:

- Target operating speed 10 to 20km/h



Aokautere Structure Plan
Street Cross Section
7A.4D 11*

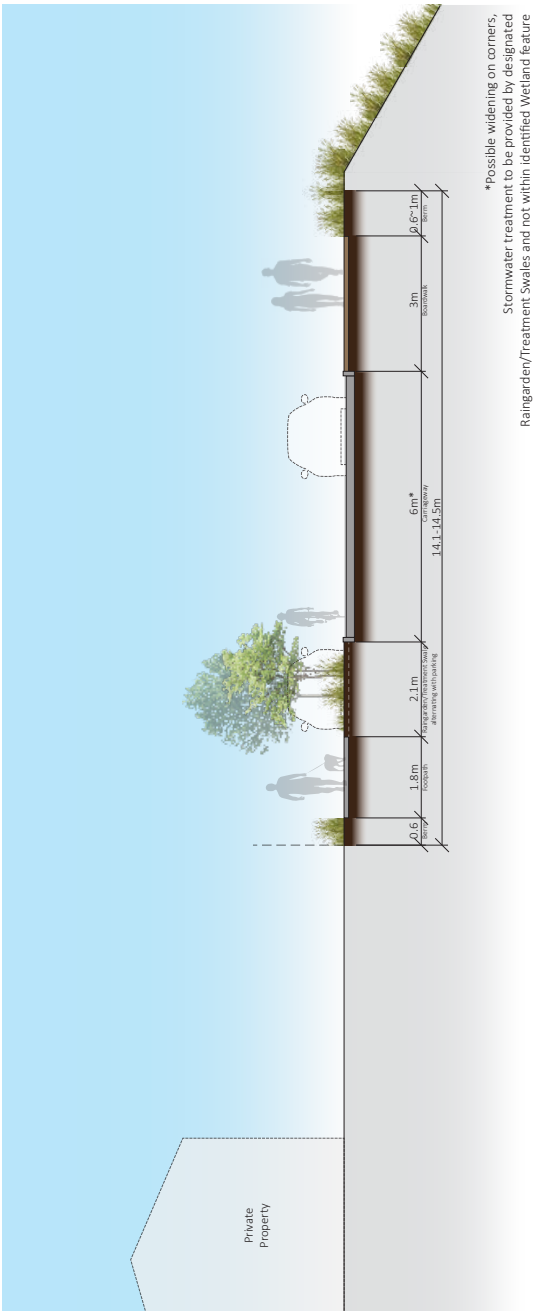
Local Street

E

Notes:

- Target operating speed 30km/h

Aokautere Structure Plan
Street Cross Section
7A.4D 12*

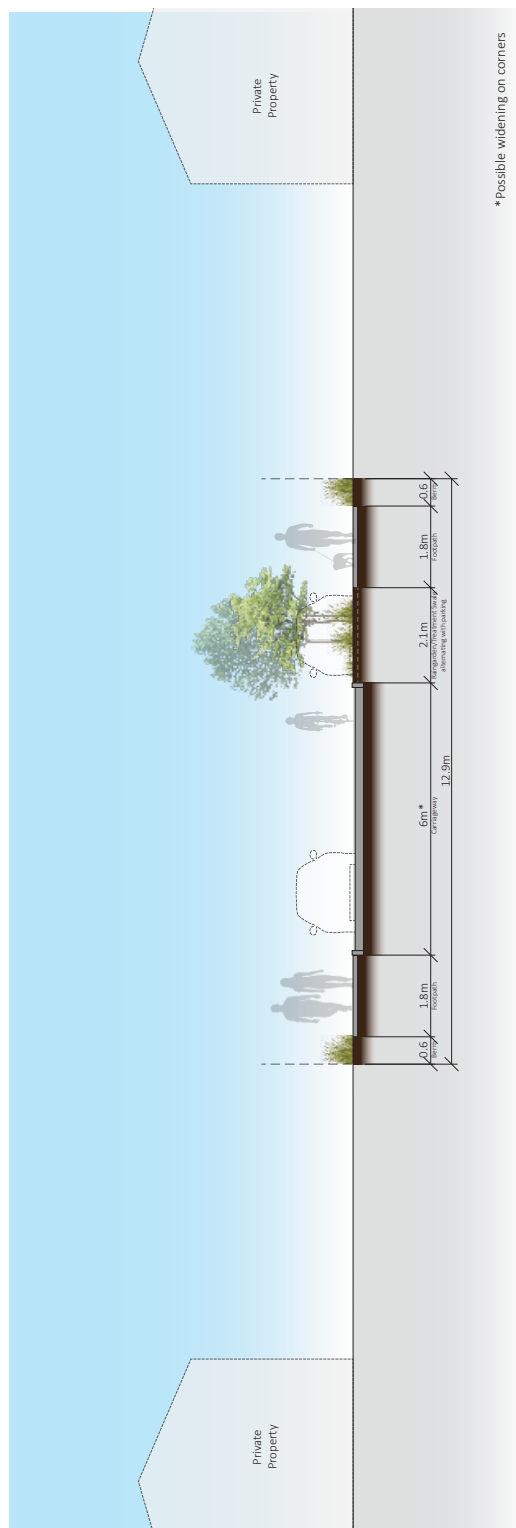


Local Street (Lane) F

Notes:

- Target operating speed 30km/h

Aokautere Structure Plan
Street Cross Section
7A.4D 13*



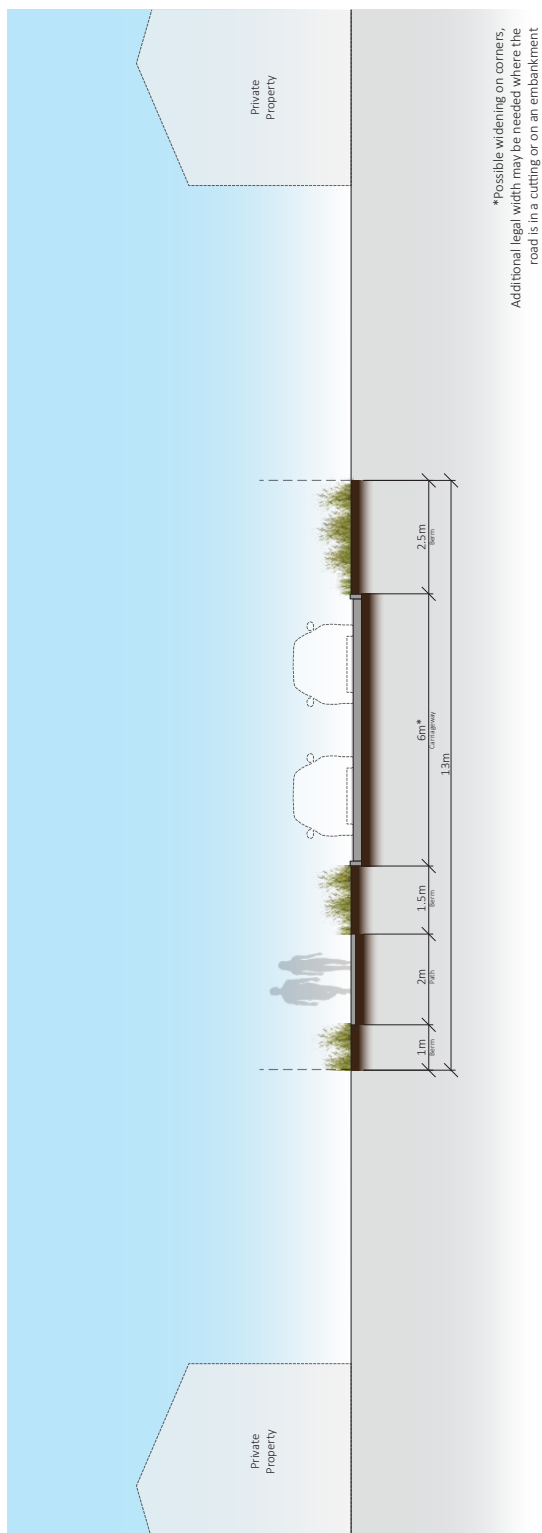
Peri-Urban Road

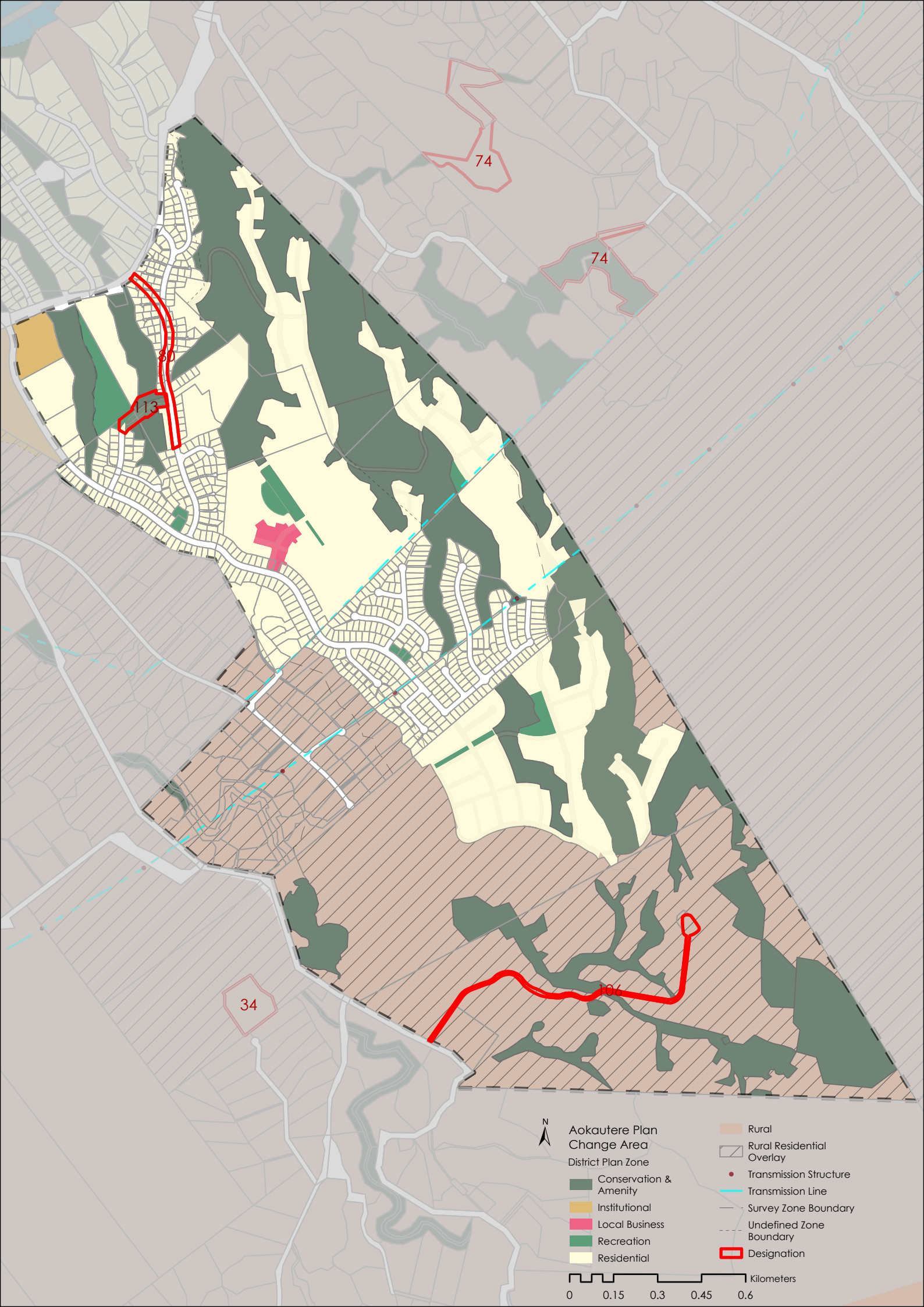
A

Notes:

- Target operating speed 50km/h

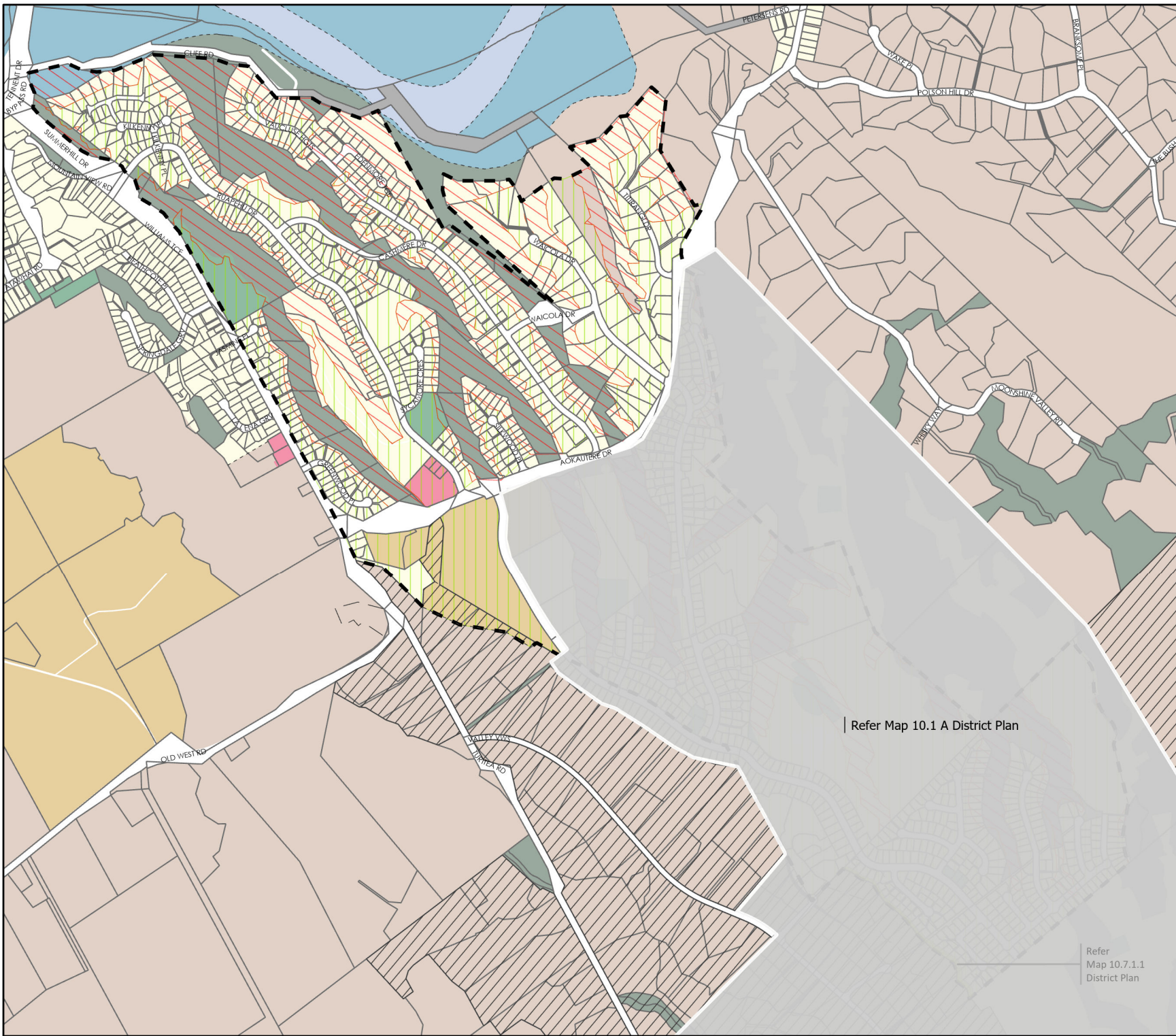
Aokautere Structure Plan
Street Cross Section
7A.4D 14*





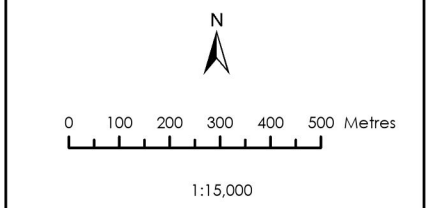
Map 10.1

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.)



Refer Map 10.1 A District Plan

Refer Map 10.7.1.1 District Plan

Map 10.1 A

AOKAUTERE DEVELOPMENT AREA

- Rural
- Residential
- Local Business
- Recreation
- Conservation and Amenity
- Institutional

Rural Residential Area
(refer Section 7 - Subdivision)

Survey Zone Boundary

Undefined Zone Boundary

Transmission Structure

Transmission Line

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.)

Set back line - 30° from base of slope
Class E land

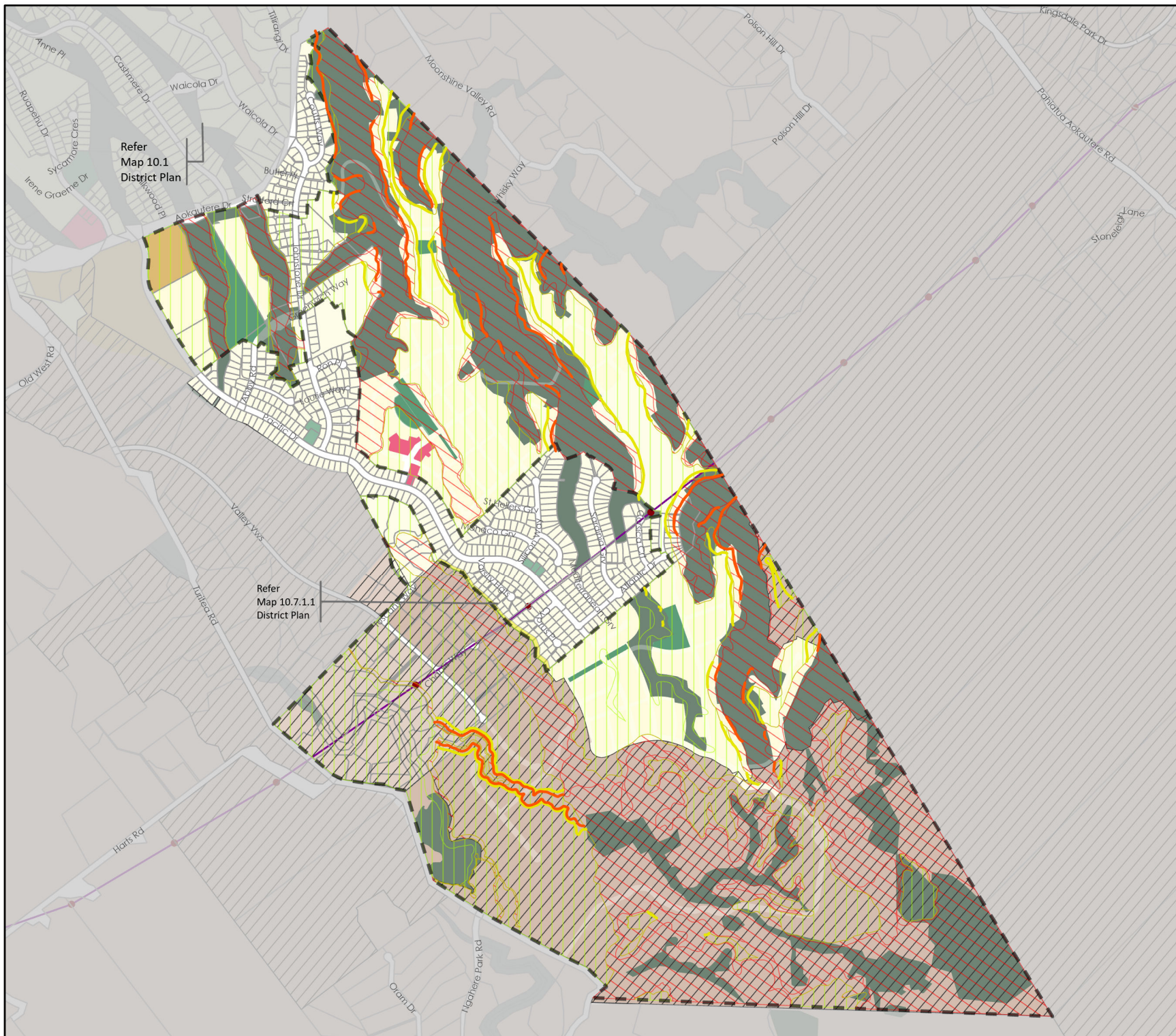
Set back line - 20° from base of slope
Class D land



0 100 200 300 400 500 Metres

1:17,500

Note to Plan Users: The plotted 20 degree and 30 degree lines represent the position of a 20 degree and 30 degree slope set back, relative to the toe or base of the gully slope, accounting for projected future downcutting of stream beds (i.e. the predicted 100 year elevation of the stream bed). The extent of predicted downcutting can be obtained from the Technical Memorandum Stream Erosion Assessment Summary, GHD, dated 22 June 2023 which forms part of the updated Aokautere Stormwater Management Strategy.





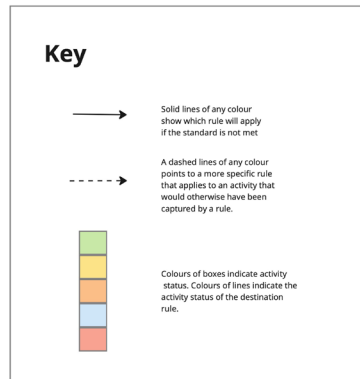
**Map 10.6.3.3 (i) Multi-Unit Housing Area:
Aokautere Greenfield Residential Area**

Aokautere Structure Plan Street Network

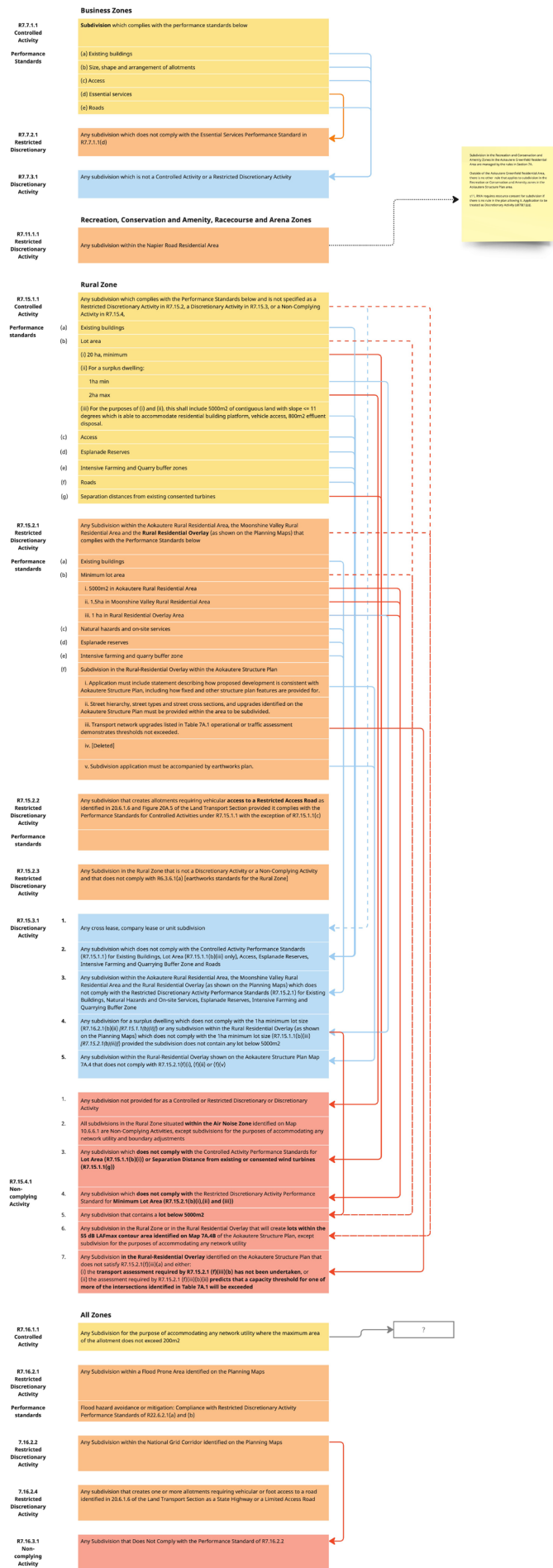
Multi-unit Housing Area

0 125 250 375 500 Meters

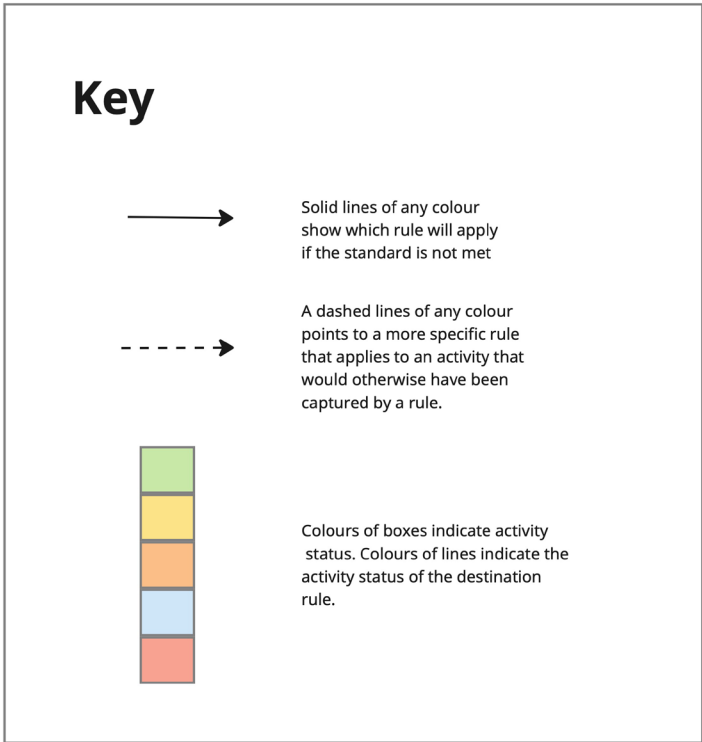
Annexure 2



Section 7 Subdivision



Section 7A Greenfield Residential Area



Section 10 Residential Zone

Residential activities

Key

Solid lines of any colour show which rule will apply if the standard is not met

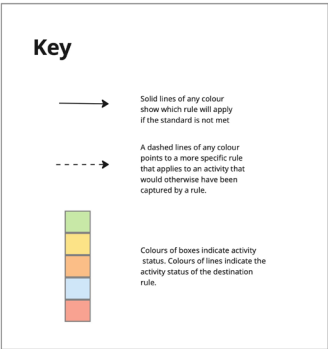
A dashed lines of any colour points to a more specific rule that applies to an activity that would otherwise have been captured by a rule.

Colours of boxes indicate activity status. Colours of lines indicate the activity status of the destination rule.

R10.6.1.5 Permitted Activity	<div><div>Dwellings, Minor Dwelling Units & Accessory Buildings in the Greenfield Residential Areas</div><div>Any Dwelling, Minor Dwelling Unit and/or Accessory Building in any Greenfield Residential Area is a Permitted Activity provided it complies with the Performance Standards detailed in Clauses(a) – (j), except that this rule does not apply to:</div><div><div>a. dwellings, minor dwelling units and accessory buildings in the Medium Density Village Area identified on the Aokautere Structure Plan (Map 7A.4B), which are restricted discretionary activities under R10.6.3.3; and</div><div>b. Dwellings, Minor Dwelling Units and Accessory Buildings that are part of a Multi-unit Residential Development in the Medium Density Clusters or Medium Density Village Area identified on the Aokautere Structure Plan (Map 7A.4B), which are restricted discretionary activities under R10.6.3.3.</div></div></div>
Performance Standards	<div><div>(a) Access and parking</div><div>(b) Maximum building height, recession planes and overlooking</div><div>(c) Separation distances</div><div>(d) Site area and coverage</div><div>(e) Acoustic insulation and setbacks for the Whakarongo Residential Area</div><div>(f) Acoustic setbacks for the Kikiwheua area</div><div>(g) On-site amenity</div><div>(h) Fencing</div><div>(i) Flood hazards</div><div>(j) Natural hazard areas within the Aokautere Greenfields Residential Area</div><div>(k) Stormwater management in the Aokautere Greenfield Residential Area [must be on a site where a Stormwater Management Plan has been prepared, if on a gully edge site, must be served by perimeter swale and utility corridor, and Primary Stormwater Elements must be installed and operational. Standard doesn't apply to lots existing at 8 August 2022]</div></div>
R10.6.2.1 Controlled Activity	<div><div>Relocated houses</div><div>(a) Compliance with R10.6.1.1(a) to (j)</div></div>
R10.6.3.2 Restricted Discretionary Activity	<div><div>Buildings or Structures within a Greenfield Residential Area that do not comply with Performance Standards for Permitted or Controlled Activities.</div><div>Any building or structure which does not comply with the Performance Standards for Permitted or Controlled Activities in relation to:</div><div><div>i. Height including Maximum Height and Height Recession Planes</div><div>ii. Separation Distances</div><div>iii. Site Area and Coverage</div><div>iv. Overlooking</div><div>v. On-site Amenity</div><div>vi. Fencing</div><div>vii. Access and Parking and Access16</div><div>viii. Acoustic Insulation and Setbacks</div><div>ix. Flood Hazards</div><div>x. Developable Land Natural Hazards within Aokautere Greenfield Residential Area (Map 10.1A)</div><div>xi. Stormwater management in the Aokautere Greenfield Residential Area</div></div></div>
R10.6.3.3 Restricted Discretionary Activity	<div><div>Multi-unit residential development in the multi-unit housing areas identified on Maps 10.6.3.3(a), (i) and</div><div>dwellings, minor dwelling units and accessory buildings in the Medium Density Village Area identified on the Aokautere Structure Plan</div></div>
Performance standards	<div><div>(i) Notional Site Area for each unit</div><div>(ii) Minimum unit size</div><div>(iii) Site coverage and permeable surface</div><div>[none] On-site amenity</div><div>(iv) Access and parking</div><div>(v) Compliance with R10.6.1.1(a), R10.6.1.1(b), R10.6.1.1(c)(i), except in the Aokautere Greenfield Residential Area, where, in relation to height, height recession planes and separation distances, (ix) below also applies.</div><div>(vi) 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.</div><div>(vii) Stormwater Design. A plan must be submitted to identify appropriate stormwater design for the development, and [...]</div><div>(viii) Additional setback requirements in the Hokowhitu Lagoon Residential Area</div><div>(ix) Height, recession and setback requirements in the Medium Density Village Area or a Medium Density Cluster within the Aokautere Greenfield Residential Area.</div><div>(x) [Deleted]</div><div>(xii) Natural Hazards within the Aokautere Greenfield Residential Area</div><div>(xiii) Within the Medium Density Village Area identified in the Aokautere Structure Plan (Map 7A.4B), the minimum average number of dwellings shall be 25 per hectare net.</div><div>(xiv) For development within the Aokautere Greenfield Residential Area, the transport network upgrades listed in Table 7A.1 are operational or transport assessment shows capacity thresholds are not exceeded.</div><div>(xv) In the Aokautere Greenfield Residential Area, Primary Stormwater Elements are installed and operational before any dwellings are constructed or placed on site.</div></div>
R10.6.4.3 Discretionary Activity	<div><div>Multi-unit residential development that:</div><div><div>• does not comply with the Performance Standards of R10.6.3.3 or</div><div>• is located within the Golf Ball Hazard Area in the Hokowhitu Lagoon Residential Area identified in Map 7.7.2.7, or</div><div>• is not located within identified areas of 10.6.3.3,</div></div><div>and is not otherwise specified as a Non-Complying Activity under R10.6.5.6 or R10.6.5.7.</div></div>
R10.6.4.5 Discretionary Activity	<div><div>Any Dwelling, Minor Dwelling Unit or Accessory Building in the Medium Density Village Area identified on the Aokautere Structure Plan that does not comply with Rule R10.6.3.3 and which is not otherwise a Non-Complying Activity under R10.6.5.6 or R10.6.5.7</div></div>
R10.6.5.1 Non-complying Activity	<div><div>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, R10.6.5.6, R10.6.5.7 or R10.6.6.1</div></div>
R10.6.5.6 Non-complying Activity	<div><div>Within the Aokautere Greenfield Residential Area, any Dwellings, Minor Dwelling Units & Accessory Buildings in the Medium Density Village Area, or any Multi-unit Residential Development, where R10.6.3.3(xiv)(a) does not apply and either:</div><div><div>(i) the transport assessment required by R10.6.3.3(xiv)(b) has not been undertaken, or</div><div>(ii) the assessment required by R10.6.3.3(xiv)(b)(2) predicts that a capacity threshold for one or more of the intersections identified in Table 7A.1 in Section 7A will be exceeded</div></div></div>
R10.6.5.7 Non-complying Activity	<div><div>Within the Aokautere Greenfield Residential Area, any Dwellings, Minor Dwelling Units & Accessory Buildings in the Medium Density Village Area, or any Multi-unit Residential Development, that does not meet the performance standard R10.6.3.3(xv) or R10.6.3.3(xiii).</div></div>

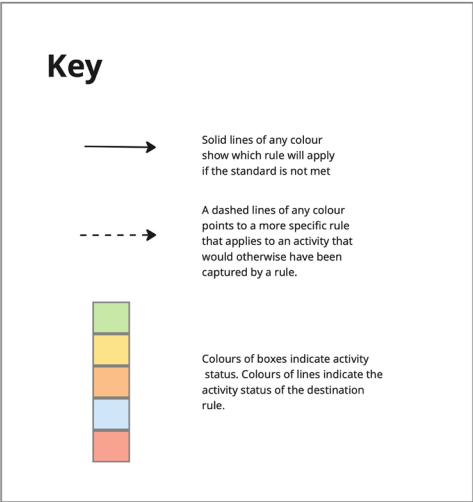
Section 10 Residential Zone

Non-residential activities



R10.7.1.1 Permitted Activity	Community Houses
Performance standards	(a) Site coverage (b) Height (c) Separation distances (d) Landscape amenity (e) Parking and access (f) Air noise control (g) Noise (h) Signs (i) Turbule/Aokauere Residential Zone setback
R10.7.1.2 Permitted Activity	Accommodation motels
Performance standards	(a) Location (b) Separation distances (c) Height (d) Site coverage (e) Signs (f) Parking and access (g) Landscape Amenity (h) Air noise control (i) Noise (j) Turbule/Aokauere Residential Zone setback
R10.7.1.3 Permitted Activity	Education facilities
Performance standards	(a) Location (b) Height (c) Separation distances (d) Air noise control (e) Site area and coverage (f) Parking and access (g) Landscape Amenity (h) Noise (i) Signs (j) Turbule/Aokauere Residential Zone setback
R10.7.1.4 Permitted Activity	Health facilities. The reuse of a dwelling for the purpose of a health facility
Performance standards	(a) Number of practitioners (b) Height (c) Separation distances (d) Site coverage (e) Parking and access (f) Landscape Amenity (g) Noise (h) Signs (i) Air noise control (j) Turbule/Aokauere Residential Zone setback
R10.7.1.5 Permitted Activity	Home occupations
Performance standards	(a) Number of employees (b) Site and floor area (c) Dust (d) Storage (e) Hours of operation (f) Signs (g) Retaining (h) Glare (i) Parking and access (j) Noise (k) Hazardous substances (l) Turbule/Aokauere Residential Zone setback
R10.7.1.6 Permitted Activity	Limited development Land in the Aokauere Development Area The following are Permitted Activities on any land shown as Limited Development land in the Aokauere 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
R10.7.3.1 Restricted Discretionary Activity	Re-use of a Non-Residential Building
Performance standard	The proposed activity must be located in an existing non-residential building.
R10.7.3.2 Restricted Discretionary Activity	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) Turbule/Aokauere Residential Zone Setback
R10.7.3.3 Restricted Discretionary Activity	Any Home Occupation Activity which cannot comply with the Site and Floor Area Performance Standard for Permitted Activities, provided this does not exceed 60m2
R10.7.3.5 Restricted Discretionary Activity	Commercial activity , including construction, alteration or addition to a building or structure
Performance standards	a) Compliance with R11.5.1.1(g) b) Compliance with R11.10.2.1(g) c) Compliance with R11.10.7.1(a) and (b)
R10.7.4 Discretionary Activity	The following activities in R10.7.4.1, R10.7.4.2, R10.7.4.3, R10.7.4.4, R10.7.4.5, R10.7.4.6, R10.7.4.7 and R10.7.4.8 are Discretionary Activities unless R10.7.5.2 or R10.7.5.3 applies R10.7.4.1 Community and Leisure Facilities R10.7.4.2 Motor Conference Centres on properties having frontage onto, and the main vehicle access from, a Major Arterial or Minor Arterial Road 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 Papaiainga and Marae Development
R10.7.5.1 Non-Complying Activity	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 or R10.7.5.3
R10.7.5.2 Non-Complying Activity	Any new community home, accommodation motel, education facility, early childhood facility, health facility, community and leisure facility, motor 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 used in the Inner Central Contour or Outer Central Contour that does not comply with R10.6.1.1(b) .
R10.7.5.3 Non-Complying Activity	Any new Retirement Village in the Aokauere Greenfield Residential Area where Primary Stormwater Elements designed to manage stormwater, and erosion from the fully developed contributing catchment up to the 1% AEP design storm event (accounting for climate change in accordance with the National Storm Water Council Engineering Standards for Land Development) have not been installed in the catchment(s) that will receive stormwater from the proposed development, is a Non-Complying Activity.

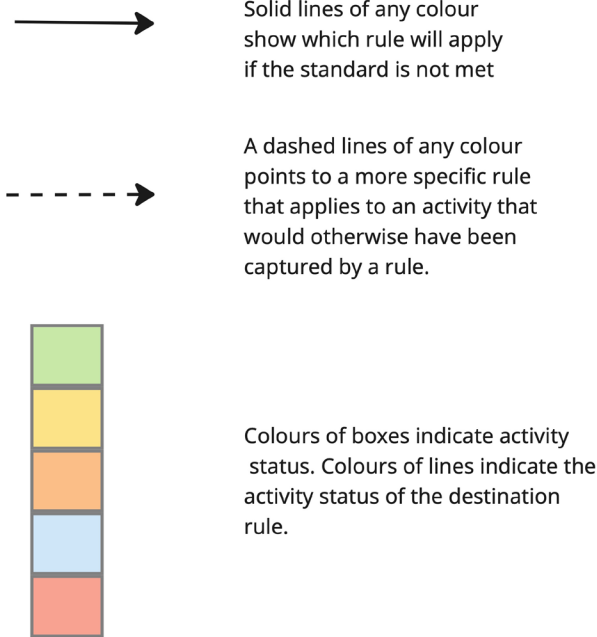
Section 11.10 Local Business Zone



R11.10.2.1 Permitted Activity	<div>Any activity is a Permitted Activity except for:</div> <div><div>• Those specified as Controlled Activities, Restricted Discretionary Activities or Discretionary Activities</div><div>• Offensive Activities, Industrial Activities, Crematoria, Residential Accommodation at Ground Floor Level, which are Non-Complying Activities</div></div>
Performance standards	<div>(a) Lighting</div> <div>(b) Screening</div> <div>(c) Signs</div> <div>(d) Hazardous facilities</div> <div>(e) Size of function</div> <div>(f) Residential accommodation<div><div>i. No residential accommodation at ground level</div><div>ii. Residential activity not dominant activity on site</div><div>iii. Non habitable accessory building at rear and less than 10m2</div></div></div> <div>(g) [Deleted]</div> <div>(h) Parking, loading and access</div> <div>(i) Servicing and loading hours</div> <div>(j) Compliance with R11.10.7.1 [Noise]</div>
R11.10.2.2 Permitted Activity	<div>The construction, alteration of, or addition to buildings and structures except for those specified as Restricted Discretionary Activities, Discretionary Activities or Non Complying Activities</div> <div>(a) Maximum floor area</div> <div>(b) Building height</div> <div>(c) Ground floor height</div> <div>(d) Separation distances</div> <div>(e) Building frontages</div> <div>(f) Verandas</div> <div>(g) Shop fronts and glazing</div> <div>(h) Ground Level Parking</div> <div>(i) Landscape amenity</div> <div>(j) Aokautere Neighbourhood Centre Precinct Plan</div> <div>(k) Natural hazards within the Aokautere Neighbourhood Centre</div> <div>(l) Stormwater management in the Aokautere Neighbourhood Centre</div>
R11.10.3.1 Restricted Discretionary Activity	<div>Activities which do not comply with the Permitted Performance Standards (in R11.10.2.1) in relation to:</div> <div>(a) Lighting</div> <div>(b) Screening</div> <div>(c) Size of Function</div> <div>(d) Residential Accommodation</div> <div>(e) Vehicle Parking</div> <div>(f) Loading and Access</div> <div>(g) Car Park Landscape Design</div> <div>(h) Servicing and Loading Hours</div> <div>(i) Signs</div>
R11.10.3.2 Restricted Discretionary Activity	<div>The construction, external alteration or addition to a building which does not comply with the Performance Standards for Permitted Activities (in R11.10.2.2), excluding non-compliance with performance standard R11.10.2.2(j) Aokautere Neighbourhood Centre Precinct Plan, which is a discretionary activity under R11.10.4.1, in relation to:</div> <div>(a) Maximum floor area, maximum building height</div> <div>(b) Ground floor height</div> <div>(c) Height of any building which adjoins a site in a residential zone and separation distance</div> <div>(d) Building frontages, shop fronts and glazing</div> <div>(e) Pedestrian cover and verandas</div> <div>(f) Loading and access</div> <div>(g) Car park landscape design</div> <div>(h) Ground level parking</div> <div>(i) Landscape amenity</div> <div>(j) Natural Hazards within the Aokautere Neighbourhood Centre</div> <div>(k) Stormwater Management in the Aokautere Neighbourhood Centre</div>
Performance standards	<div>All activities under R11.10.3.2 that involve the re-development of 50% or greater of the total area of a Local Business site, or any development on a greenfield site, must provide (as part of the resource consent application) a comprehensive development plan with regard to the design, layout and servicing of the Local Business Zone site. The Comprehensive Development Plan must consider and address, where relevant, the following issues: [L to xv listed]</div>
R11.10.4.1 Discretionary Activity	<div>• Any activity or the construction, reconstruction or alteration of any building or structure which is not provided for by R11.10.2.1, R11.10.2.2, R11.10.3.1, R11.10.3.2, R11.10.4.2 or R11.10.5.1</div> <div>• Any construction, reconstruction or alteration of any building or structure within the Aokautere Neighbourhood Centre that does not comply the performance standard (j) in Rule 11.10.2.2 or the performance standards in R11.10.3.2.</div>
R11.10.4.2 Discretionary Activity	<div>Any new Service Station or addition or alteration to an existing Service Station</div>
R11.10.5 Non-complying Activity	<div>(a) Offensive Activities, Industrial Activities, Crematoria, and Residential Accommodation at Ground Floor Level</div>

Section 15.5 Conservation and Amenity Zone

Key



R15.5.3.1 Permitted Activity	(a)	Informal recreation
	(b)	Works associated with the maintenance of Conservation and Amenity Reserves
Performance standards	(a)	Signs
R15.5.3.2 Permitted Activity		Public Toilets, Maintenance Sheds, Information Kiosks, and Interpretive Structures associated with Informal Recreation Activities
Performance standards	(a)	Building size
	(b)	[no (b)]
	(c)	Height
	(d)	Separation distances
R15.5.3.4 Permitted Activity		Walking tracks
Performance Standards	(a) Siting and construction (b) Associated structures (c) Signs	
R15.5.4.1 Restricted Discretionary Activity		Roading, Essential Services and Primary Stormwater Elements required to give effect to the Aokautere Structure Plan
Performance standards	(a) Natural Hazards	
R15.5.6.1 Non-complying Activity		Any activity, building or structure that does not comply with the Performance Standards for Permitted Activities or R15.5.4.1, or is not a Permitted, Controlled, Restricted Discretionary Activity or Discretionary Activity

Annexure 3: Section 32AA Evaluation

1. Section 32AA of the RMA requires a further evaluation of changes made to PCG since the original evaluation report was completed. This evaluation must be undertaken in accordance with s 32 of the Act, which requires the objectives of proposals to be examined for their appropriateness in achieving the purpose of the Act (s 32(1)(a)), and whether the proposed provisions (including methods) are the most appropriate way to achieve the objectives (s 32(1)(b)). This includes consideration of other practicable options, the efficiency and effectiveness and cost and benefits of the provisions in achieving the objectives.
2. The following table sets out a s 32AA assessment for the amendments that I have recommended to the PCG provisions in my Supplementary Statement of Evidence (March 2024) ('Supplementary Statement'). This summary evaluation is intended to assist the Hearing Panel in undertaking its own evaluation.
3. This s 32AA assessment addresses the most significant recommended amendments to the PCG provisions as identified in my Supplementary Statement, reflective of the scale and significance of these amendments. The s 32AA assessment does not address minor changes recommended to improve clarity or interpretation of the provisions, or where amendments have been proposed that are not a significant departure from the approach that was notified or recommended in my s42A Report or Reply to Evidence.
4. Having undertaken a comparison of my recommended changes versus the provisions as notified and previously amended in terms of:
 - a) the costs and benefits,
 - b) the efficiency and effectiveness, and
 - c) the risks of acting or not acting,

I have concluded that the recommended changes improve the appropriateness of the proposed provisions in achieving the relevant objectives of the District Plan. In my opinion, the amended provisions are the most appropriate in achieving the purpose of the Act.

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
Aokautere Neighbourhood Centre Precinct Plan Map 7A.4C			
Section 7A: Greenfield Residential Areas Aokautere Neighbourhood Centre Map 7A.4C – Precinct Plan	<p>Amendments to the Precinct Plan to reduce the level of detail in the plan so that it identifies only essential elements relating to location of buildings, primary and secondary frontages and roading connections. These elements are considered necessary to enable a successful neighbourhood centre.</p> <p>Amendments to the Precinct Plan identify the following eight elements:</p> <ol style="list-style-type: none"> 1. Primary commercial frontage onto Pacific Drive 2. Activity Street connection with Pacific Drive 3. Activity Street connection through the Centre 4. Direct connection of the Activity Street into the proposed Urban Connector Street 5. Continuous primary commercial 	<ol style="list-style-type: none"> 1. Retain the notified Precinct Plan and require development to be in 'accordance' with this Plan. 2. Adopt the amendments in the s 42A Report – remove the list of Key Outcomes and requirement for a supermarket (replaced by anchor tenant) and require development to be in 'accordance' with this Plan 3. Amend the Precinct Plan to reduce the level of detail to only those essential elements considered necessary to enable a successful 	<p>Effectiveness and Efficiency:</p> <p>Amending the level of detail in the Precinct Plan will reduce the level of prescription and provide more flexibility for developers when building out this centre.</p> <p><u>Identification of Primary and Secondary commercial frontages</u></p> <p>The recommended amendments identify the location of primary and secondary commercial frontages. The location of the primary commercial frontage is informed by the orientation of the neighbourhood centre, which has been positioned to ensure the centre will attract users returning from the city (who will be able to view lights and activity on the eastern side of the centre), and to ensure sufficient sunlight to the primary street frontages is achieved.</p> <p><u>Connections</u></p> <p>The recommended amendments identify key connections into the surrounding residential zone. The amendments remove specific references to land uses and activities that will occur outside of the</p>

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
	<p>frontage facing onto the proposed Activity Street</p> <p>6. Western commercial area with frontage onto Activity Street. On-site parking contained behind buildings</p> <p>7. Local Street connections into adjacent residential zone</p> <p>8. Secondary commercial frontage</p> <p>The amendments remove:</p> <ul style="list-style-type: none"> - The requirement for an anchor tenant, and the location of the tenancy - The direction on housing typologies within the centre - Identification of specific activities that will occur outside the neighbourhood centre. 	<p>neighbourhood centre, relating to location of buildings, primary and secondary frontages and connections, annotate the Plan so it is clear which features are fixed and require development to be in 'general accordance' with this Plan.</p>	<p>neighbourhood centre, as these are managed by other plans that form part of the Aokautere Structure Plan.</p> <p>The amendments in Option 3 will be effective and efficient by ensuring that there is some flexibility for the detailed design of future development proposals for the neighbourhood centre, while retaining sufficient direction to ensure the essential elements for achieving a successful neighbourhood centre are delivered as part of the plan change. The critical elements are identified on the Precinct Plan. Due to their importance the provisions require development to be in general accordance with the Precinct Plan.</p> <p>The amended Precinct Plan (Option 3) together with the implementing provisions (see assessment below) are considered more effective in achieving the objectives of the Plan, including Chapter 11 – Local Business Zone Objective 6, than Options 1 or 2. They provide clear direction to ensure that the outcomes identified in the objectives for the Aokautere Neighbourhood Centre will be achieved, while at the same time, providing more flexibility in the design approach. These changes will, in my view, be more efficient and effective in delivering this outcome.</p> <p>Costs (environmental, economic, social, cultural): There will be costs incurred in consenting a</p>

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
			<p>development application under any of the options. The consenting costs under Option 3 are likely to be lower given the greater flexibility provided through the Precinct Plan and consenting process (requirement for 'general' accordance).</p> <p>Benefits (environmental, economic, social, cultural):</p> <p>There are likely to be benefits to developers, in that the recommended amendments in Option 3 allow more flexibility (including with regard to cost) for the design of development proposals within this neighbourhood centre.</p> <p>Risk of acting/not acting:</p> <p>Mr Burns and Mr Cullen have reviewed the Precinct Plan and identified the critical elements to achieve a successful neighbourhood centre, as set out in Mr Burn's Supplementary Statement. Mr Burns and Mr Cullen have provided expert advice that provides sufficient information to act. There is sufficient information to understand the risks of acting.</p>

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
Neighbourhood Centre – local business provisions			
7A: Policy 5.5	Amend the notified policy relating to the neighbourhood centre so that it requires development to be in ‘general’ accordance with the Structure Plan	<ol style="list-style-type: none"> 1. Retain the notified provisions (requiring strict accordance with the Aokautere Neighbourhood Precinct Plan (Map 7A.4C)) and a non-complying activity status if compliance is not achieved. 2. Adopt the amendments in the s42A Report – various amendments to the policies and performance standards to simplify and clarify the urban design requirements in relation to shopfronts, verandas, signage and glazing, but the activity status is non-complying 	<p>Effectiveness and Efficiency:</p> <p>The recommended changes to the policies and rules in the Local Business Zone in Option 3 are primarily amendments to implement the recommended amendments to the Aokautere Neighbourhood Precinct Plan (Map 7A.4C) discussed above.</p> <p>It is recommended that Policy 6.1 and performance standard R11.10.2.2(j) are amended to require ‘general accordance’ with the Aokautere Neighbourhood Precinct Plan (Map 7A.4C), as opposed to requiring strict ‘accordance’ as directed in Options 1 and 2. Non-compliance with performance standard R11.10.2.2(j) is recommended to trigger a Discretionary Activity (under Rule 11.10.4), rather than a non-complying activity status (under Rule R11.10.5).</p> <p>It is considered that the recommended approach (Option 3) is effective and efficient in managing development in the Aokautere local neighbourhood centre to ensure that the critical elements required to deliver a successful neighbourhood centre are</p>
Policy 6.1	Amend notified Policy 6.1 to require activities and buildings to be developed and undertaken in ‘general’ accordance within the Aokautere Neighbourhood Precinct Plan (Map 7A.4C)		
Policy 6.2	<p>Delete notified Policy 6.2.</p> <p>This Policy requires an anchor tenant to be delivered within the neighbourhood centre. The updated recommendation is that this no longer needs to be specified within the Aokautere Neighbourhood Precinct Plan (Map 7A.4C). Operative policies 2.1 and 3 already provide direction to provide a mix of activities.</p>		
Policy 6.3	Amend notified Policy 6.3 to refer to the Aokautere Neighbourhood Precinct Plan (Map 7A.4C) to ensure that plan users are directed to this Plan, as it identifies critical connections		

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
	between the neighbourhood centre and the surrounding residential area.	if compliance not achieved.	achieved, while still allowing some flexibility in delivery of future development proposals. Council experts have amended the Precinct Plan to provide for only the key 'building blocks' for a successful neighbourhood centre within the plan change area. This approach has also been reflected in a less restrictive activity status, but one which still requires assessment against the objectives and policies, and demonstrating that the outcomes sought for the centre and wider Structure Plan area are achieved. Simplifying and clarifying the urban design provisions enables an assessment of general accordance to be undertaken with greater certainty. The amendments still ensure the desired outcomes are appropriately reflected through the provision framework. 'General accordance' provides for minor and non-material variations, without undermining the delivery of the desired outcomes. When cross reference is made to the Precinct Plan, it is clear which elements are 'fixed' and which elements have some degree of flexibility.
Policy 6.9	Delete notified Policy 6.9, which requires service lanes at rear of buildings in the Aokautere Neighbourhood Centre. The amendments reflect the recommended removal of service lanes as a specified element of the Aokautere Neighbourhood Precinct Plan (Map 7A.4C)	3. Adopt the amendments in the s 42A Report which simplify the policies and performance standards, together with the amendments in the Supplementary Statement (requiring general accordance with the amended Aokautere Neighbourhood Precinct Plan (Map 7A.4C)) and amending the activity status for non-compliance, to discretionary activity status under R11.10.4.	
R11.10.2.2 Performance Standard (g) Shop fronts and Glazing	Amend Performance Standard R11.10.2.2(g)(i) Bullet Point 1 – to remove reference to the secondary commercial frontage at the interface with Pacific Drive in the Aokautere Neighbourhood Centre. This reflects recommended amendments to the Aokautere Neighbourhood Precinct Plan (Map 7A.4C) to identify only the primary frontage at this interface.		
Note to Plan Users under R11.10.2.2 - Performance Standard (g) Shop Fronts and Glazing	Delete the second paragraph of the Note to Plan Users under Rule 11.10.2.2 - Performance Standard (g) Shop fronts and Glazing. This reflects recommended amendments to the		The recommended amendments are also effective and efficient in ensuring that if land use development were to proceed in advance of subdivision in the neighbourhood centre, the essential stormwater controls are in place. This is considered necessary as a

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
	Aokautere Neighbourhood Precinct Plan (Map 7A.4C).		<p>precautionary control, given the sensitive receiving environments that stormwater will be discharged into. The amendments ensure that consideration is required to be given to the management of natural hazards, to achieve the objectives of the plan change.</p> <p>Costs (environmental, economic, social, cultural): There will be costs incurred to consent a development proposal under all three options. The consenting costs under Option 3 are likely to be less than those associated with an application required to be in strict accordance with the previously more detailed Precinct Plan. Developers may need to address natural hazards and stormwater management through the consenting process, if a land use consent is sought before subdivision consents are obtained. However, those costs would have otherwise been incurred at the subdivision stage.</p> <p>Benefits (environmental, economic, social, cultural): There are likely to be benefits to developers, in that the recommended amendments allow more flexibility for alternative designs for development of the local neighbourhood centre. There are social, economic and environmental benefits in ensuring that natural</p>
R11.10.2.2 Performance Standard (j) Aokautere Neighbourhood Centre Precinct Plan	Amend the performance standard to require 'general accordance' with the Aokautere Neighbourhood Centre Precinct Plan (Map 7A.4C)		
R11.10.2.2 Performance Standard (l) Stormwater Management within the Aokautere Neighbourhood Centre Precinct Plan	Insert a requirement for the Primary Stormwater Elements to be in place as a precursor to development, in the event a land use application comes forward in advance of subdivision.		
R11.10.3.1 and R11.10.3.2	Remove the notified references to the performance standards relating to Natural Hazards and Stormwater Management, remove the matter of discretion on natural		

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
	<p>hazards and the Assessment criteria (i) Natural Hazards in the Aokautere Neighbourhood Centre and insert these in Rule R11.10.3.2 which deals with buildings.</p> <p>These provisions were inserted in the incorrect rule in the s 42 Report recommendations and should have been made to the rule relating to buildings, namely Rule 11.10.3.2.</p>		<p>hazard risk and stormwater management are addressed prior to development.</p> <p>Risk of acting/not acting:</p> <p>Mr Burns has reviewed the amended provisions. Mr Burns has provided expert advice that provides sufficient information to act. There is sufficient information to understand the risks of acting.</p>
R11.10.3.2	<p>Amend the chapeau of R11.10.3.2 to remove the words 'excluding non-compliance with performance standard R11.10.2.2(j) Aokautere Neighbourhood Centre Precinct Plan'</p> <p>This is a consequential amendment of the recommended amendments to R11.10.2.2(j) to require 'general accordence' with the Aokautere Neighbourhood Centre Precinct Plan and the removal of non-complying rule 11.10.5(b) (referred to below).</p> <p>As a consequence, an activity that fails to comply with R11.10.2.2(j) is a Discretionary Activity under R11.10.4</p>		

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
R11.10.4.1	Amend the rule so that any construction, reconstruction or alteration of any building or structure within the Aokautere Neighbourhood Centre that does not comply with the performance standards in R11.10.3.2 is a Discretionary Activity. This change provides certainty as to the default activity status if the performance standards are not met.		
R11.10.5 (b)	Delete non-complying Rule R11.10.5(b).		
Transport provisions			
R7A.5.2.2(i)	Minor amendments to make the performance standard more precise and certain, and to reflect the equivalent changes to Rule R7.15.2.1. This includes deleting reference to the ‘road corridor’, clarifying that the standard applies prior to subdivision and development and further clarifying that it applies to any one of the capacity thresholds in the table. Delete the reference to ‘appropriate’ in column 3, itemise the options, insert the words “either” and “or”, so the standard can be complied with, without reserving any discretion to Waka	<div>1. Retain the notified provisions</div> <div>2. Adopt the amendments in the s42A Report</div> <div>3. Adopt the amendments in the Reply to Evidence</div> <div>4. Adopt the amendments in the</div>	Effectiveness and Efficiency: The recommended changes to the rules in Option 4 are to ensure that the performance standard R7A.5.2.2(i), which triggers a non-complying activity status, is sufficiently certain and precise. The amendments to the rules in Options 2, 3 and 4 require the necessary intersection upgrades to have been undertaken before development, or if they have not, that a transport assessment is undertaken to determine the remaining capacity in the intersections and if the capacity will be exceeded, what the

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
	Kotahi in relation to an alternative treatment, and specify the outcome that the alternative treatment must achieve.	Supplementary Statement 5. Adopt a non-regulatory method	transport effects of that exceedance will be, prior to development occurring. Table 7A.1 identifies the network capacity thresholds and required upgrades for the Summerhill/Ruapehu Drive intersection and the State Highway network to enable development to occur in Aokautere. Table 7A.2 identifies the network capacity thresholds and required upgrades for the internal local road network to enable development to occur in Aokautere.
R10.6.3.2	Include new Assessment Criteria (s) to consider the potential adverse effects to the transport network from traffic generated by the proposal and whether the development will cause transport thresholds in Table 7A.1 and 7A.2 to be exceeded.		Option 3 reflects the agreements contained in the JWS-Transport, the JWS-Planning, and subsequently agreed amendments with Waka Kotahi's planner, Ms Jenkins, as outlined in the Reply to Evidence.
R10.6.3.3	<p>Amendments to Restricted Discretionary Activity Rule 10.6.3.3 (applying to medium density housing or multi-unit housing) to include a new matter of discretion, new performance standard (xiv) and new assessment criteria, that applies before development commences in the Aokautere Structure Plan Area, to:</p> <ul style="list-style-type: none"> - require the transport upgrades identified in Table 7A.1 to be completed, or, if they are not: - require a transport assessment to demonstrate that none of the capacity thresholds in the intersections in Table 		<p>Under Option 3, this pre-cursor performance standard is inserted into Chapter 7 – Subdivision and Chapter 7A Greenfield Residential Areas to manage subdivision in residential and rural-residential areas consistently.</p> <p>To reflect a scenario where residential development occurs without or in advance of subdivision, Option 4 inserts this precursor standard into provisions in the Residential Zone, to manage activities that may generate high traffic volumes that could have adverse effects on the transport network, in particular medium density and multi-unit developments. This</p>

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
	<p>7A.1 will be exceeded; and if they are, to assess the effects of that exceedance.</p> <ul style="list-style-type: none"> - Include an explanatory note to alert plan users to the non-complying activity status if traffic generated by the proposed activity will exceed the intersection capacity thresholds. <p>These amendments require that either the specified intersection upgrades have been made operational, or, if not, that a transport assessment is undertaken as a precursor to development to identify whether the capacity thresholds have been exceeded, and what the effects of any exceedance will be. Exceedance of a threshold will trigger a non-complying activity status. The inclusion of this rule in Chapter 10 – Residential ensures that this precursor to development applies to residential land use activities that may occur prior to subdivision.</p>		<p>recommendation has been made on the advice of Ms Fraser (as set out in her Supplementary Statement) that such development might trigger the need for the intersection upgrades and therefore should be subject to the same requirements for an assessment of transport capacity and effects, and non-complying activity status if the thresholds are triggered. The need for a transport assessment is also a matter to be considered through the assessment criteria for a retirement village, and a transport assessment can be requested for a retirement village application, but is not a specified as a performance standard. Ms Fraser’s advice is that such an activity is unlikely to generate the same level of vehicle movements on the network during peak hours. The effects of the activity can be appropriately managed as a discretionary activity, and declined if necessary.</p>
R10.5.5.6	A new non-complying rule for any residential development where R10.6.3.3 (xiv)(a) does not apply (i.e. the necessary intersection		<p>Options 2, 3 and 4 assume Waka Kotahi will undertake safety improvement works to the state highway network in the short term that, once completed, will address the existing safety issues on the state highway network. This means that some development will be able to occur before the state highway intersection upgrades need to be undertaken.</p>

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
	<p>upgrades have not been completed) and either:</p> <ul style="list-style-type: none"> - A transport assessment has not been undertaken, or - A capacity threshold in Table 7A.1 is exceeded 		<p>The recommended changes in Option 4 are both effective and efficient in providing clear triggers for intersection upgrades that may need to occur to enable medium density / multi-unit development to occur in the residential zone, and for this to be assessed through either a subdivision or land use application, whichever is advanced first. The provisions also specify the upgrades required to respond to the reduction in capacity/safety when a threshold is exceeded. These are upgrades that the Council considers will appropriately manage the effects of the exceedance on safety and efficiency. Some flexibility is provided for an alternative treatment that would achieve safe and efficient performance of the intersection, where that alternative is agreed to by Waka Kotahi (as the road controlling authority). The amendments ensure that compliance with the standard is not dependent on the discretion of Waka Kotahi, and can be satisfied by the upgrades specified in clause (a) of Column 3.</p> <p>Option 4 will better meet the objectives of the District Plan, including Objectives 1, 2 and 3 in Section 20 – Land Transport.</p> <p>The outcomes sought by these provisions could be achieved with a non-regulatory method (Option 5),</p>

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
			<p>which would require Waka Kotahi and the Council to monitor the performance of the network and to plan, fund and undertake the necessary upgrade works when these are required. An element of the costs would be re-couped through development contributions, which would require an update to the Council's Development Contributions policy.</p> <p>Option 5 places a reliance on other agencies to assess and manage the effects of development within the plan change area. Options 1- 4 require a transport assessment to be undertaken by the proponent of development within the plan change area, where intersection upgrades have not yet occurred. The provisions give the Council scope to reject applications where the traffic generated by the proposed development would create significant adverse effects on the wider transport network.</p> <p>Under a non-regulatory approach (Option 5) there is a risk that funds identified in a LTP or through the Regional Land Transport Plan may be reallocated during the life of the plan, delaying delivery of the necessary upgrades, and potentially resulting in significant social, environmental and economic effects resulting from increased congestion and an increase in serious and fatal crashes from development which has</p>

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
			<p>been able to proceed in advance. In addition, the development contributions policy would need to be revised and go through a process of consultation before it is updated, to ensure that costs are recouped at the appropriate rate. The recommended plan provisions in Option 4 will take effect once the plan change is made operative (the notified provisions (Option 1) have legal effect now) and will appropriately manage development to avoid adverse effects on the transport network in the short, medium and long terms.</p> <p>The recommended provisions (Option 4) are considered more appropriate to manage cumulative effects on the transport network, in an effective and efficient way.</p> <p>Costs (environmental, economic, social, cultural):</p> <p>There will be costs to Waka Kotahi and the Council in order to design and implement the required safety and intersection upgrades under all options. Developers will also be expected to help fund these upgrades through development contributions, which will be required under all options. There will be costs associated with monitoring and assessment of the performance of the intersections, which will fall to developers under Options 1-4 as part of a resource</p>

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
			<p>consent application, and to the road controlling authorities under Option 5. It is not uncommon for resource consents to be informed by a traffic assessment. There may be time delays before development can occur under Options 1-4, which has associated costs. Under Option 4, these are likely to be less than under the notified provisions (Option 1).</p> <p>Benefits (environmental, economic, social, cultural): There are environmental, economic and social benefits in ensuring that the transport network is capable of safely and efficiently accommodating the additional traffic that will be generated from development in Aokautere. This includes avoiding or reducing the likelihood of serious or fatal crashes on the network, or increased congestion, in particular the state highway, and the associated economic, environmental and social costs. Improving the safety of facilities for active transport modes in the short term (under Options 1-4) improves the probability of mode shift, with consequential benefits for people's health and well-being and reduction in the environmental footprint of transport. The recommended approach (Option 4) has benefits in enabling some development to occur where there is available capacity in the intersections, as compared</p>

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
			<p>with Options 1 and 2, which prevent any development until upgrades are completed (even if there is unrealised capacity).</p> <p>Risk of acting/not acting:</p> <p>The recommendations have been made based on information obtained in the JWS – Transport, subsequent discussions with Waka Kotahi and further expert input from Ms Fraser. This information provides sufficient information to act.</p>
Stormwater management			
7A: Objective 4	Amendment to the objective to make it more directive with respect to avoiding more than minor adverse effects	<ol style="list-style-type: none"> 1. Retain the notified provisions 2. Adopt the amendments in the s42A Report 3. Adopt the amendments in the Reply to Evidence 4. Adopt the amendments in the 	<p>Effectiveness and Efficiency:</p> <p>The recommended amended provisions in Option 3 require that the Primary Stormwater Elements (PSE) are installed and operational prior to development in the Greenfield Residential Area. Option 4 requires that this precursor also applies where intensive land use development occurs prior to subdivision, including for large scale non-residential activities such as a retirement village, or commercial development in the Aokautere Neighbourhood Centre.</p>
7A: Policy 4.6	Insert a new policy that provides more detail as to how Objective 4 is to be implemented, and the nature of effects that must be considered and avoided.		
7A: Policy 5.1B and Policy 4.7, 4.9.	Insert a new policy providing direction on the matters which should be considered when locating the stormwater detention ponds, if		

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
	<p>these ponds are not provided in the locations shown on the Structure Plan. (See explanation under 'Structure Plan and General Accordance' section below).</p> <p>Consequential amendments to Policy 4.7 and 4.9 to cross reference and be consistent with to the new Policy 5.1B.</p>	Supplementary Statement	<p>If the PSE are not in place prior to construction of multi-unit, medium density or retirement village development, these land use activities trigger a non-complying activity status, and construction of buildings in the Aokautere Neighbourhood Centre will be a restricted discretionary activity.</p> <p>An exclusion to the requirement for PSE as a precursor to development applies to lots for which subdivision consent was already granted prior to 8 August 2022, on the basis those lots were created before the plan change was notified.</p> <p>Option 4 is considered more effective in addressing the potential effects of development where a land use consent is sought in advance of subdivision and seeks to ensure the infrastructure critical to the protection of the gully network and the prevention of further downcutting and erosion is in place before development occurs. Option 4 is considered more likely to achieve the objectives of the plan change.</p> <p>Costs (environmental, economic, social, cultural): There may be time delays before development can occur under Options 2-4, which has associated economic costs. However, there would be significant social, cultural and environmental costs of enabling</p>
7A: Policy 4.7, 4.9, Note to Plan Users under R7A.5.2.1 and R7A.5.2.2, Assessment criteria in R7A.5.2.3	<p>Amendments to Policy 4.7 and 4.9 and insertion of a note to plan users to clarify that hydraulic neutrality means controlling peak stormwater runoff to achieve historic pre-residential development levels (circa the year 2000) to control flood and erosion risk, and how to interpret the setback lines in Map 10.1A. Consequential amendments to the Assessment Criteria in R7A.5.2.3.</p>		
R7A.5.2.1 R7A.5.2.2 (a) and (b)	<p>Include a new matter of discretion in Rule 7A.5.2.1(w) for Stormwater Management in the Aokautere Structure Plan area</p> <p>Amend R7A.5.2.2 to:</p> <ul style="list-style-type: none"> - Ensure that any geotechnical assessment considers the potential for future downcutting of the gullies and 		

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
	<p>includes consideration of constraints to the location of essential services, including stormwater detention ponds.</p> <ul style="list-style-type: none"> - Make the Primary Stormwater Elements (PSE) (defined term) a standalone performance standard for subdivision in the Aokautere Greenfield Residential Area, under R7A.5.2.2.(b) (Essential Services) as a precursor to development. <p>The PSE are the in-gully infrastructure works required to stabilise the streams and manage erosion and stormwater. The performance standard requires that the PSE have been installed and are operational before housing is constructed / placed on site.</p> <ul style="list-style-type: none"> - Require the perimeter swale in locations identified on the Aokautere Structure Plan to be installed as part of the subdivision works as a standalone performance standard (under 		<p>development where the necessary infrastructure is not in place.</p> <p>Benefits (environmental, economic, social, cultural):</p> <p>The recommended approach in Option 4 ensures that the gullies are not receiving stormwater prior to the PSE being in place, in order to manage the effects of stormwater on the gully networks and to prevent erosion.</p> <p>Risk of acting/not acting:</p> <p>Stormwater and geo-technical assessments were provided in support of PCG and Ms Baugham and Mr Bird have provided further expert advice that provides sufficient information to act. There is sufficient information to understand the risks of acting.</p>

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
	<p>Essential services).</p> <ul style="list-style-type: none"> - Include a requirement for the Stormwater Management Plan to address how the proposed stormwater management measures interact and integrate with the downstream PSE. 		
R7A.5.3.1	Insert a new discretionary activity rule to make it certain that any activity in the Aokautere Greenfield Residential Area which does not comply with the Performance Standards for preparation of the Stormwater Management Plan and the Comprehensive Development Plan (which includes geotechnical reporting) in Restricted Discretionary Activity Rule R7A.5.2.1 and is not otherwise a Non-Complying Activity, is a Discretionary Activity.		
R7A.5.5.1	Amend non-complying rule R7A.5.5.1 to make any subdivision that does not comply with the stormwater precursor performance standards (PSE and the perimeter swale) R7A.5.2.2(b)(v) or b(vi) a non-complying activity.		

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
Chapter 10 Policy 15.10	Minor amendments to the policy to improve clarity and reflect the need for the PSE to be in place prior to development.		
R10.6.1.5	<p>Amend R10.6.1.5 Permitted Activity Performance Standard for dwellings, minor dwellings and accessory buildings (k) to include a requirement that where stormwater will be discharged into a catchment where PSE is designed to manage stormwater and erosion, the PSE are installed and operational.</p> <p>The amended performance standard specifies that this requirement does not apply to dwellings located on lots less than 1000m² where, title for the lot was issued prior to 8 August 2022, or subdivision consent to create the lot was issued prior to 8 August 2022. This exemption applies to existing dwellings and lots that were in existence at the time PCG was notified.</p>		
R10.6.3.2	Amend R10.6.3.2 to include non-compliance with the permitted activity performance standards for Stormwater management in the Aokautere Greenfield Residential area, as a		

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
	<p>trigger for restricted discretionary activity status.</p> <p>Include a new matter of discretion 'Stormwater management in the Aokautere Structure Plan area'.</p> <p>Include new assessment criteria in R10.6.3.2 to consider how stormwater management is consistent with any relevant Stormwater Management Plan and whether the PSE are installed and are operational.</p>		
R10.6.3.3	<p>For multi-unit residential development and dwellings in the medium density village area located in the Aokautere Structure Plan, amend R10.6.3.3 to include new matters of discretion relating to stormwater management and the effects of earthworks.</p> <p>Include a new performance standard (xv) requiring PSE to be in place before dwellings are constructed or placed on the site.</p>		
R10.6.5.7	<p>Insert a new non-complying rule for medium density or multi-unit residential development which takes place prior to PSE being in place. The purpose of this rule is to achieve</p>		

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
	consistency with the subdivision performance standards if a land use consent is sought in advance of subdivision.		
R10.7.5.3	Insert a new non-complying activity rule for a retirement village in the Aokautere Greenfield Residential Area where the PSE for the catchment(s) that will receive stormwater from the development have not been installed prior to development. The purpose of this rule is to achieve consistency with the subdivision performance standards if a land use consent is sought in advance of subdivision.		
R11.10.2.2	Insert a permitted activity performance standard for construction, alteration, or addition to buildings in the Aokautere Neighbourhood Centre to require the PSE to be installed and operational prior to the development taking place.		
R11.10.3.2	Amend the rule so that non-compliance with the permitted activity performance standards for stormwater and geotechnical reporting is a restricted discretionary activity (including by		

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
	inserting new matters of discretion and assessment criteria)		
Housing Density			
7A: Objective 5	Amend the objective to refer to achieving a mix of housing densities	1. Retain the notified provisions 2. Adopt the amendments in the s42A Report 3. Adopt the amendments in the Reply to Evidence 4. Adopt the amendments in the Supplementary Statement	Effectiveness and Efficiency: The recommended amended provisions in Option 4 take a more directive approach to achieving the desired housing density in the Medium Density Village Area, which is 25 DPH, including by inserting new/amending existing policies into sections 7A and 10 and inserting a new performance standard into Section 10 of the Plan (land use rules). These require a minimum average number of dwellings of 25 per hectare net. Where this density is not met, the activity becomes a discretionary activity under the land use rules (and remains non-complying under the subdivision rules).
7A: Policy 5.3	Amend the policy so that it is directive in requiring a housing density of 25 DPH in the Medium Density Village Area		
R7A.5.2.2 (d) Lot size and density	Amend the performance standard so it is clearer as to which lot requirements apply in the Medium Density Village Area and which lot requirements apply in the Medium Density Cluster Areas		
10: Policy 15.1	Amend the policy so that it is more directive that density should be in line with the various		

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
	neighbourhood areas identified on the Structure Plan		<p>The recommended approach in Option 4 is considered more effective in achieving the desired density than Options 1-3, by providing clear, certain and directive policy and performance standards against which to assess land use development proposals, and ensuring a consistent approach is adopted if land use development is advanced before subdivision. The approach is also more efficient, as the default activity status retains sufficient regulatory control to achieve the desired outcome. The density standard chosen (under all 4 options) is considered 'effective' because it provides for a range of potential dwelling types, including single storey 3 bed houses or part two-storey larger dwellings, as well as smaller dwellings, and therefore can accommodate market/developer preferences.</p> <p>Costs (environmental, economic, social, cultural):</p> <p>There will be costs associated with consenting land use proposals, however these costs would be incurred under all options. The feasibility assessment found that attached dwelling medium density housing is expected to return a profit in the longer term (after 10 years). In the interim period, the Medium Density Village Area can be developed as standalone detached housing, which is expected to be feasible in the</p>
10: Policy 15.15	Insert a new policy that it is directive in requiring development to contribute to the achievement of a housing density of 25 DPH in the Medium Density Village Area (along with the suggestion to reorder in final adopted version so that this policy becomes Policy 15.2)		
R10.6.3.3 xiii	Insert a new performance standard requiring a minimum average number of dwellings of 25 per hectare net within the Medium Density Village Area		
R10.6.4.5	Insert a new discretionary activity rule for any Dwelling, Minor Dwelling Unit or Accessory Building in the Medium Density Village Area identified on the Aokautere Structure Plan that does not comply with Rule R10.6.3.3 and which is not otherwise a Non-Complying Activity under R10.6.5.6 or R10.6.5.7, as a Discretionary Activity.		

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
			<p>medium term, as set out in Ms Allen's Supplementary Statement. These costs are considered to be less than the costs to the community of failing to provide smaller dwellings to meet demand within the City over time (see below).</p> <p>Benefits (environmental, economic, social, cultural):</p> <p>The Council's Housing and Business Capacity Assessment (HBCA) has identified that there is high level of need and demand for smaller dwellings in the city. The recommended approach in Option 4 will assist to meet this demand, which will have economic and social benefits. Option 4 is considered more likely to achieve these benefits than options 1-3 because it takes a more directive approach (while still providing options to deliver standalone housing, given the minimum lot size of 150m² and the requirement to achieve the specified net density, not a specified type of housing, as discussed below).</p> <p>Risk of acting/not acting:</p>

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
			<p>The specified housing density has been tested to demonstrate that a range of housing typologies, including standalone dwellings, can be readily achieved at this density. Mr Burns and Mr Cullen are of the view that medium density housing in close proximity to the neighbourhood centre is fundamental to achieving other key outcomes of the plan change, particularly the viability of the neighbourhood centre. The HBNA has identified 300 dwellings in the medium term, and 700 in the long term, as being commercially feasible and likely to be realised within the PCG area. The feasibility evidence of Ms Allen shows that medium density housing is feasible after ten years, and standalone housing that meets the net density standard would be feasible in the medium term. In addition, PCG provides sufficient capacity for the landowners to develop land outside of the medium density area as standard suburban housing in the interim period (of around 700 lots). There is sufficient information to understand the risks of acting.</p>
Zoning of land within the Green block as Rural-Residential Overlay, Conservation and Amenity, Rural (Area A)			
Zoning Structure Maps	Map, Plan Zone the developable area of land within 'Area A' on the western boundary of the Structure Plan from Rural to Rural-Residential Overlay,	1. Retain the notified zoning - Rural Zone, over the entirety of the block	<p>Effectiveness and Efficiency:</p> <p>Option 1 would not provide for rural-residential development, as Area A (7.5ha) is smaller than the</p>

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
	with the wetland area zoned as Conservation & Amenity Zone, and retain Rural zoning over the residual area of land.	<p>(Operative District Plan zoning)</p> <p>2. Change the zoning of the entire block to Rural-Residential Overlay</p> <p>3. Change the zoning of the block to Rural-Residential Overlay, Conservation & Amenity Zone and Rural.</p>	<p>minimum lot size of 20ha for lots in the Rural Zone, which has a directive policy framework seeking to avoid the creation of lots less than 20ha in area. Creation of a separate lot to enable development of the wider parcel would be a non-complying activity.</p> <p>With respect to Option 2, Mr Bird, Mr Hudson, Ms Baugham and Dr Forbes have provided expert advice in their Supplementary Statements that the low-lying areas should not be enabled for development of houses, due to the geotechnical, landscape, flood risk and ecological constraints on this land.</p> <p>Under Option 3, it is proposed that the ecological values and constraints are managed by applying the Conservation and Amenity Zone over the wetland and associated hydrological features. This would also have the effect of preventing housing in this low lying area.</p> <p>Option 3 is considered the most effective and efficient approach for achieving the stated objectives for the plan change. It provides protection for the identified ecological values, and avoids development in hazard prone areas, while still providing for a modest level of development on the higher ground.</p> <p>Costs (environmental, economic, social, cultural):</p>

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
			<p>There would be costs associated with consenting any future subdivision proposal under all 3 options. The consenting costs would be likely to be lower under Option 3.</p> <p>Benefits (environmental, economic, social, cultural):</p> <p>Option 3 would have the greatest economic, social and environmental benefits as it would provide the greatest level of protection for the ecological values in the wetland area, protect future occupants from hazards, and at the same time, enable some modest rural-residential development. In turn, this would have economic and social benefits.</p> <p>Risk of acting/not acting:</p> <p>Mr Bird, Mr Hudson, Ms Baugham and Dr Forbes have provided expert advice regarding the constraints on this land, and I consider there is sufficient information to act.</p>
Zoning of land within the Green block as Rural-residential Overlay, and Conservation & Amenity (Area B)			
Zoning Map, Structure Plan Maps	Zone the area of land (8.5ha) on the eastern boundary of the Structure Plan identified as Area B from Rural to Rural-Residential Overlay,	1. Retain the notified zoning - Rural Zone, over the entirety of the block	<p>Effectiveness and Efficiency:</p> <p>The 8.5ha area of land is surrounded by land that is proposed to be zoned for residential, rural-residential and Conservation & Amenity zoning. The land is not</p>

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
	with gully 19 zoned as Conservation & Amenity Zone.	<p>(Operative District Plan zoning)</p> <p>2. Change the zoning of the entire block to Rural-Residential Overlay</p> <p>3. Change the zoning of the block to Rural-Residential Overlay, with the area within the gully zoned Conservation & Amenity Zone</p>	<p>classed as highly versatile land under the NPS–HPL (it is Class E land), meaning there is no strong policy direction to retain the land in productive use. The District Plan specifies a minimum lot size of 20ha for lots in the Rural Zone, with a directive policy framework seeking to avoid the creation of lots less than 20ha in area. At 8.5 ha, the area of land is undersized and creation of a separate rural lot to enable development of the wider parcel would be a non-complying activity under Option 1.</p> <p>Under options 2 and 3, Mr Bird has advised that the geotechnical constraints on the land can be effectively managed through the performance standard requiring geotechnical assessment and reporting under Rule R7.15.2.1. Under Option 3, it is proposed that the ecological values and constraints are managed by applying the Conservation and Amenity Zone over the gully landform.</p> <p>Option 3 is considered the most effective and efficient approach for achieving the stated objectives for the plan change. It provides protection for the identified ecological values, while still providing for a modest level of development, with a complying application likely to be a restricted discretionary activity.</p>

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
			<p>Under Option 2, the rural-residential provisions proposed through PCG still provide greater scope to consider and provide for protection of the identified ecological values through a future subdivision application than the operative rural zone provisions under Option 1 would provide, but to a lesser extent than Option 3.</p> <p>Costs (environmental, economic, social, cultural):</p> <p>There would be costs associated with consenting any future subdivision proposal under all 3 options. The consenting costs would be likely to be lower under Option 3.</p> <p>Benefits (environmental, economic, social, cultural):</p> <p>Option 3 would have the greatest economic, social and environmental benefits as it would provide the greatest level of protection for the ecological values in the gully area, while at the same time enabling some residential development. In turn, this would have economic and social benefits.</p>

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
			Risk of acting/not acting: Mr Bird, Mr Hudson and Dr Forbes have provided expert advice regarding the constraints on this land, and I consider there is sufficient information to act.
Structure Plan and demonstration of 'general accordance'			
Structure Plans 7A.4-7A.4D	Amend the key on the Structure Plans to identify that certain elements on the Structure Plan are 'fixed'.	1. Retain the notified provisions - require all Structure Plan elements to be fixed and delivered in general accordance with the Structure Plan. 2. The Reply Structure Plan amendments, which identify roads as either 'flexible location' or 'fixed location', but do not indicate the level of flexibility of other Structure Plan elements. 3. Adopt the proposed amendments in the	Effectiveness and Efficiency: Submissions and evidence presented at the hearing has demonstrated that some Structure Plan elements may need to be varied in response to detailed investigations and subdivision design. Under Option 1 and 2, there is no policy guidance on how to assess whether general accordance has been achieved where a feature on the Structure Plan, is delivered in a manner that varies from that shown on the Structure Plan. Under Option 1, it is not clear whether elements are fixed or flexible, but the provisions require general accordance with the Structure Plan. This option does not provide sufficient direction as to how an application may be assessed against a 'general accordance' requirement. Option 2 does not provide
7A. Policy 5.1	Amend the policy to require the subdivision layout and design to provide the fixed Structure Plan elements (which are identified on Maps 7A.4 – 7A.4D) in the manner shown on the Structure Plan, and in general accordance with the Structure Plan.		
7A: Policy 5.1A	Insert a new policy (and renumber when provisions are finalised) requiring the subdivision layout and design to provide for the Aokautere Structure Plan features that are not fixed, and providing for some variation in location, extent, and design of these features, provided the development outcomes in the		

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
	PCG objectives and policies (in the various sections of the Plan) are met.	<p>Supplementary Statement – fixed features are identified and policy guidance is provided as to how fixed and non-fixed features are to be assessed. The policies and performance standards reflect a requirement for either general accordance or consistency with the Structure Plan, as appropriate.</p> <p>4. Enable all Structure Plan elements to be flexible and do not require ‘general accordance’ with the Structure Plan through the provisions.</p>	<p>guidance on how to assess ‘fixed’ versus ‘flexible’ features, other than in relation to categories of roads shown on Map 7A.4A, so has some of the same failings as Option 1.</p> <p>Under Option 3, the Structure Plan keys indicate which elements are ‘fixed’. Policy direction is provided on how to assess the level of compliance of fixed Structure Plan elements as these are delivered by a particular proposal, along with guidance on how to assess Structure Plan elements that are not fixed. Additional guidance is provided around locating stormwater detention ponds. The performance standards indicate whether consistency should be achieved, or the stricter, general accordance requirement, depending on the criticality of the feature to delivery of plan change outcomes.</p> <p>Option 4 is considered too flexible and open to interpretation and has the potential to undermine the delivery of the Structure Plan.</p> <p>With respect to the rule framework, the operative performance standard in R7A.5.2.2(a) requires the preparation of a Comprehensive Development Plan demonstrating general accordance with the Structure</p>
7A: Policy 5.1B and Policy 4.7, 4.9.	<p>Insert a new policy (and renumber) providing direction on the matters which should be considered when locating the stormwater detention ponds, if these ponds are not provided in the locations shown on the Structure Plan.</p> <p>Consequential amendments to Policy 4.7 and 4.9 to cross reference and be consistent with to the new Policy 5.1B.</p>		
R7A: Policy 5.8,	Consequential amendments to the policies to refer to ‘consistency’ with the Structure Plan, where an element of flexibility is anticipated for some elements.		
R7A:5.3.1	Insert a new rule (ii) which states that any activity in the Aokautere Greenfield Residential Area which does not comply with the performance standards for Rule R7A.5.2.1 and which is not otherwise a non-complying activity, is a discretionary activity.		

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
R7A.5.5.1	Amend the non-complying rule to delete the reference to performance standard R7A.5.2.2(a). In combination with the above rule change, the effect of this amendment is that any subdivision application in the Aokautere Greenfield Residential Area that does not provide a Comprehensive Development Plan that details how the design, layout and servicing of the Residential Area is in general accordance with the Aokautere Structure Plan is a discretionary activity, rather than a non-complying activity.		Plan. As an assessment of whether or not 'general accordance' is achieved will require assessment (and the exercise of discretion) in any given circumstance. This means there is potential for discretion as to whether or not the performance standard has been achieved. This is considered appropriate. However under Option 1, failure to comply with this performance standard triggers a non-complying activity. A non-complying activity category generally signals that such an activity is not anticipated as appropriate by the district plan - the tests of s104D, RMA create a very high evidence bar for an application to cross.
7: Policy 3.7	Amend the policy to insert new policy direction that the fixed Structure Plan elements must be provided in general accordance with the Structure Plan, and that some variation in location, extent and design may be possible for other elements shown on the Structure Plan, provided they still satisfy the objectives and policies.		Similarly under Option 1, if the performance standards for Rural-Residential subdivision in R7.15.2.1(f) are not complied with, the activity becomes a non-complying activity. Other than for the satisfaction of the transport network upgrade requirements, which are critical to manage safety effects, this is considered onerous.
R7.15.2.1(f)(i)	Amend the performance standard to require a statement describing how the proposed development is consistent with the Aokautere Structure Plan, including how the fixed and		Under Option 3, the performance standards are amended so that compliance is assessed against the level of consistency with the Aokautere Structure Plan (for unfixed features), with only critical (i.e. fixed) features requiring 'general accordance' with the

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
	<p>other Structure Plan elements are provided for, in accordance with Policy 3.7, and delete the requirement for general accordance with the Structure Plan.</p> <p>Amend the matters of discretion to refer to the extent to which the subdivision is 'consistent' with the Structure Plan.</p>		<p>Structure Plan. In addition, the default activity status of the rules are amended so that only non-compliance with the critical and fixed elements (such as the intersection upgrades) triggers a non-complying activity, and non-compliance with the performance standards for the unfixed features and those assessing the level of general accordance or consistency, trigger a discretionary activity.</p>
R7.15.3.1	<p>Insert a new Discretionary Activity rule for subdivision in the Rural-Residential Overlay within the Aokautere Structure Plan, for subdivision which does not comply with the performance standards relating to a design statement demonstrating general compliance with the Structure Plan, provision of the roading links shown on the Structure Plan, or provision of the earthworks plan</p>		<p>Option 3 is considered more efficient than Option 1, 2 or 4 because the default activity status (in most cases discretionary) still retains sufficient regulatory control to consider the full range of effects, and to decline an application in order to achieve the desired outcome, without being as onerous for the applicant. In short, the same outcome can be achieved under either activity status.</p>
R10.7.4.6	<p>Amend the Assessment Criteria to refer to 'consistency' with the Structure Plan, rather than 'general accordance'.</p>		<p>Option 3 is considered the most effective, because it reflects expert advice that some features will inevitably need to be varied in location, extent and design from the way in which they are shown on the Structure Plan, as a result of further detailed site investigations and subdivision design.</p>
11.10: Policy 6.1	<p>Amend the policy to require activities and buildings to be developed and undertaken in general accordance with the Precinct Plan.</p>		<p>Option 3 is the preferred option, as this provides the greatest clarity for plan users on how to assess the</p>

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
15.5.4.1	<p>Reinstate the notified word to refer to “giving effect to” the Structure Plan.</p> <p>Reinstate the notified wording of the matters of discretion and the Assessment Criteria to refer to ‘consistency’ with the Structure Plan.</p>		<p>level of conformity of a particular proposal with the Structure Plan, and the determine the appropriateness of any non-conformity.</p> <p>Option 4 is not considered efficient or effective because it would likely impact on the ability to deliver the desired outcomes for the plan change, which have been carefully devised in recognition of the sensitive receiving environment, geotechnical constraints, the need for integration with existing development, and the complex topography of the plan change area. It would enable alternatives not anticipated or desired by the plan change.</p> <p>Costs (environmental, economic, social, cultural):</p> <p>There would be costs associated with consenting any future subdivision proposal under all options. The consenting costs would likely be lowest under Option 4, but Option 4 could result in significant environmental, social and cultural costs for the wider community. Consenting costs under Option 3, the preferred option, are anticipated to be lower than Options 1 or 2.</p>

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
			<p>Benefits (environmental, economic, social, cultural):</p> <p>There is expected to be economic benefits associated with a more efficient consenting process under Option 3.</p> <p>Risk of acting/not acting:</p> <p>There are submissions objecting to the notified provisions (Option 1) which seek a less prescriptive approach. Mr Burns, Mr Phillips, Ms Baugham and Ms Fraser have provided expert advice on the factors which influence location, design and extent of the Structure Plan features, and the degree to which these may require adjustment through the resource consent process. It is considered that there is sufficient information to act.</p>
Inclusion of Conservation and Amenity Zone and Recreation Zoned areas within the Aokautere Structure Plan in the Aokautere Greenfield Residential Area.			
Structure Plan Map 7A.4	Amend the map so that it shows the gully areas and reserves as within the Greenfield Residential Area	1. Retain the notified Structure Plan and provisions (which were in error)	<p>Effectiveness and Efficiency:</p> <p>The District Plan does not currently include any rules that provide for subdivision of the Conservation and Amenity or Recreation Zones. Areas within the Aokautere Structure Plan will have this zoning, and there is a need to provide for subdivision of these zoned areas as part of implementing the Structure</p>

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
		<p>2. Adopt the proposed amendments in the Supplementary Statement</p>	<p>Plan. The intention, at the time of notification was to enable this as part of the development of the Greenfield Residential Area. To give effect to the Structure Plan, it is important that the objectives and policies in Section 7A that seek to implement the Structure Plan apply to subdivision of these areas.</p> <p>This is not currently the case under the notified provisions (Option 1). As I have indicated, this was not the intention at the time. For example, the notified provisions in Section 7A refer to a requirement for the vesting of the gully network in Council for conservation and amenity purposes at the earliest stage of subdivision, prior to the commencement of any physical works (Policy 6.6) and a requirement for subdivision to create conservation lots for the protection of significant natural areas and wetlands (Policy 6.7). Option 2 provides a mechanism to apply these Section 7A objectives and policies, by including them in the defined Greenfield Residential Area, by modifying the Structure Plan.</p> <p>Option 2 is considered more effective and efficient than Option 1 because it provides a mechanism to apply the relevant policies and objectives in section 7A to subdivision proposals that include the gully areas.</p>

Relevant provisions	Recommended amendments	Options considered	Evaluation of amendment (section 32AA assessment)
			<p>Costs (environmental, economic, social, cultural):</p> <p>There would be costs associated with consenting any future subdivision proposal under both options. Option 2 may result in slightly lower costs, as it would provide for subdivision as a restricted discretionary activity, rather than a discretionary one (I note that this would apply regardless, under the Act where no rule is provided in accordance with s11 and s87B).</p> <p>Benefits (environmental, economic, social, cultural):</p> <p>There are expected to be environmental, social and cultural benefits of being able to apply the directive objectives and policies in Section 7A (which relate to managing adverse effects on the gullies), to subdivision proposals within the Conservation and Amenity Zone.</p> <p>Risk of acting/not acting:</p> <p>It is considered that there is sufficient information to act.</p>

Annexure 4:

Aokautere Structure Plan –Structure Plan elements and how they are intended to be delivered

As amended by the Council's Supplementary Statements

The following table identifies the key elements of the Structure Plans in Column 1 and the level of directiveness as to their presence and location in Column 2.

Column 3 provides an explanation as to why this level of directiveness is appropriate.

Structure Plan Element	Level of Directiveness		Explanation as to why this level of directiveness is appropriate
	'Fixed'	Not fixed	
Retirement Village Alternative (Map 7A.4)		Location, internal street layout	The location shown is that indicated by the landowner during pre-notification discussions, the exact boundary may be subject to change.
Street Types (Map 7A.4D)	A street shown must be delivered as per the type of street shown.		Classification reflects function under the ONF categories.
The route that the road takes (Map 7A.4A)	All Activity Streets (A, B, C) Urban Connectors A,B,E	All Local Streets (A-F) All Peri Urban Roads Urban Connector C, D	Some routes are fixed to achieve connectivity, route choice, provision of public and active transport options and route resilience. Flexibility is provided for urban connectors that provide gully crossings, where geotechnical considerations such as slope and soil stability, will be challenging and informed by site specific investigations.

Structure Plan Element	Level of Directiveness		Explanation as to why this level of directiveness is appropriate
	'Fixed'	Not fixed	
			<p>Peri-urban roads can be flexible in alignment, due to the low level of development density, to accommodate larger lots, and reflecting the more challenging geography.</p> <p>Local Streets could be configured in a number of different ways to achieve the development outcomes.</p>
Connections to existing roads	All	Location of the roading connection from the Water Tower unsealed road, to the north eastern area of the Waters Block	The location of the roading connection shown on the Waters Block would need to be subject to further investigation, and the exact location would be informed by consideration of topographical, geotechnical and biodiversity constraints, as well as by any future development proposal (layout, n.o. of lots etc)
Street Cross-sections (7A.4D1-D15)	All		Cross-sections are fixed in order to ensure there is appropriate provision for stormwater treatment, public transport and safe facilities for pedestrians and cyclists. However, some flexibility to adjust the dimensions/provision of individual components within the cross-sections is provided for on the updated cross-sections.
Reserves		Proposed local neighbourhood and suburban reserves – as the roading around these reserves is predominantly local roads, there may be some variation in the dimensions and exact location of these reserves at the subdivision design stage.	Provision is guided by the Council's Engineering Standards, which address dimensions, required area of flat space, catchments/maximum walking distances, road frontage, minimum size. Those standards are referenced in the Methods section of Section 7A.

Structure Plan Element	Level of Directiveness		Explanation as to why this level of directiveness is appropriate
	'Fixed'	Not fixed	
	Location and provision of the gully reserves for stormwater management, conservation and amenity G1-G12	The exact boundaries of the gully stormwater reserves are indicative where these include the perimeter swale. This is due to flexibility as to whether the swale will be located in public or private ownership.	Gully stormwater reserves are fixed, as these are required to be located where there are sensitive environments that require particular management of their values and the effects of stormwater on those values. There is some degree of flexibility as to the exact locations of the boundaries.
Stormwater detention ponds	Provision of detention ponds as a means to manage stormwater flows and erosion.	Location, volume, footprint of individual ponds	Stormwater detention will be required to meet the Stormwater Management Plan performance standard. The pond locations, volume and footprint are based on a concept design that meets the specified parameters in the Stormwater Management Strategy. However final configurations will be dependent on proposed earthworks, site specific investigations, geotechnical and slope constraints.
Perimeter swale and 5m utility corridor	Location	Land ownership	A perimeter swale and utility corridor must be provided where a lot to be developed adjoins a gully edge. However, whether the swale is in public or private ownership is flexible.
Setbacks (Map 7A.4)	15m setback for new buildings and structures from Moonshine Valley Boundary 40M setback from SH57		The Moonshine Valley setback is informed by visual simulations. The 40M setback from SH57 is imposed to manage noise and vibration effects.

Structure Plan Element	Level of Directiveness		Explanation as to why this level of directiveness is appropriate
	'Fixed'	Not fixed	
Residential Density (Map 7A.4B)	All except promontories	Promontories – can be developed as Suburban Low Density (minimum lot size of 400m ²) or Medium Density Clusters (minimum lot size of 150m ²)	The location and density requirements for the Medium Density Village Area are fixed to achieve a variety of housing typologies and density, walkable environment, and support the viability of the neighbourhood centre. In the Medium Density Clusters, medium density is enabled, rather than directed.
Gun Club Noise Areas (Map 7A.4B)	Location of the Noise contours (50 dB L _{AFmax} , 55 dB L _{AFmax}), and subsequent areas delineated by the Gun Club High Noise Area and the Gun Club Noise Mitigation Area		Have been defined based on noise monitoring and modelling
Aokautere Neighbourhood Centre (Precinct Plan Map 7A.4C)	Building locations, primary street frontages, zone boundary, provision and location of access road to Pacific Drive	Secondary frontage (could be delivered as primary frontage), connections to Local Streets	Content has been reduced to the key structural components.