

SECTION 16: CACCIA BIRCH

The Plan Change I: Increasing Housing Supply and Choice Decision points have been incorporated into the Operative District Plan and are identified by blue text.

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16. CACCIA BIRCH ZONE

16.1 Introduction

Caccia Birch House in Te Awe Awe Street is one of the first large homes built in Palmerston North in the late 1890's that remains today. Since transferral of the property, including both the grounds and house, to public ownership in the 1940's, Caccia Birch has accommodated a range of government and community activities. The Palmerston North City Council, through the Caccia Birch Trust Board, continues to actively promote the use of the premises for a range of community activities and also private functions such as weddings. In this respect Caccia Birch functions as a civic resource not unlike a community hall where use of the premises are made available to all the community whether for public or private use. As a heritage resource it is important that public access to view the property is not unduly compromised and this responsibility lies with the Trust Board in its management of the property.

The property also comprises important landscape features, including mature tree specimens and other garden features such as the wisteria walks. The property also overlooks the Hokowhitu Lagoon. These features complement the historic buildings on the property.

Caccia Birch is located within an established residential area and there is potential for activities on site to adversely affect the amenity values of that surrounding area, particularly noise effects. For this reason, activities on site are expected to comply with performance standards to protect the existing level of residential amenity.

16.2 Resource Management Issues

The following resource management issues have been identified with regard to the Caccia Birch Zone:

1. How to accommodate a range of activities on the property without compromising its heritage and landscape values.
2. Ensuring an appropriate level of control over activities in order to protect the amenity values of the surrounding residential community.

16.3 Objectives and Policies

Within the broad framework of the City View objectives, the following specific objectives and policies have been identified for the Caccia Birch Zone:

OBJECTIVE 1

To recognise Caccia Birch as a community resource to be managed in a way which enables the people of Palmerston North and surrounding districts to appreciate and enjoy its heritage and landscape values without compromising those values for future generations.

POLICIES

- 1.1 To preserve and enhance the existing heritage and landscape character of the Caccia Birch property.
- 1.2 To permit use of the buildings and grounds at Caccia Birch for a range of community activities and private functions.

Explanation

The heritage values of Caccia Birch are well recorded but there is also a unique landscape character created by the grounds, the relationship between the grounds and buildings, and the relationship between the grounds and the Hokowhitu Lagoon. The Caccia Birch Zone provisions will maintain that special character through siting and amenity conditions.

Caccia Birch is a community resource, the use of which is to be encouraged, whether this be for public or private functions. The District Plan focuses on the effects of activities on the environment rather than the activities themselves. For this reason, it is more appropriate for the authority responsible for the management of the property, currently the Caccia Birch Trust Board, to ensure an appropriate balance in the types of activity occurring on the property and to ensure public access to the grounds is not unduly compromised. The District Plan through the performance standards applying to activities permitted on site, controls the effects of those activities.

OBJECTIVE 2

To recognise the residential location of Caccia Birch and ensure that the amenity values of surrounding residences are not adversely affected.

POLICY

- 2.1 To avoid, remedy or mitigate the adverse effects of activities on the existing quality of environment enjoyed by surrounding residents.

Explanation

Performance standards such as maximum noise limits and hours of operations shall apply to all permitted activities to ensure surrounding residential amenities are not adversely affected. Although permitted activities are listed in some detail, compliance with the performance standards is also necessary. Any expansion of parking areas or building to accommodate additional capacity at Caccia Birch will be subject to resource consent assessment.

- Zoning
- The management activities of the Caccia Birch Trust Board.

The specific zoning of the Caccia Birch property and the rules which apply within that Zone will partly assist in achieving the objectives and policies of that Zone. In this respect the Zoning and rules provide an effective and cost-efficient means of controlling effects. The Caccia Birch Trust Board will however, through their activities, determine the types of activities which establish on the site, and as day-to-day managers of the site, are the most efficient method for determining this mix.

16.4 Methods

- Zoning
- The management activities of the Caccia Birch Trust

The specific zoning of the Caccia Birch property and the rules which apply within that Zone will partly assist in achieving the objectives and policies of that Zone. In this respect the Zoning and rules provide an effective and cost-efficient means of controlling effects. The Caccia Birch Trust Board will however, through their activities, determine the types of activities which establish on the site, and as day-to-day managers of the site, are the most efficient method for determining the mix.

16.5 Rules: Permitted Activities

R16.5.1 PERMITTED ACTIVITIES

The activities identified below are Permitted Activities, provided they comply with the following

- a. Residential accommodation within the existing buildings.
- b. Use of the buildings and grounds for community, recreational or cultural activities, administrative and educational purposes, and social functions.
- c. Eating facilities to cater for Permitted Activities.
- d. Activities necessary for the maintenance of the property.

Performance Standards

(a) Height

Compliance with R10.6.1.1(a).

Explanation

The use of the residential height performance standard ensures that any buildings remain in a similar scale to the existing house and the surrounding residential area.

(b) Site Coverage

The total site coverage by all buildings and structures (including Caccia Birch House and Stables - also called the Coach House) shall not exceed 7%.

Explanation

A low site coverage applies to Caccia Birch to ensure that buildings do not compromise the aesthetic and historic relationship of the building to the surrounding grounds.

(c) Separation Distances

- i. No building shall be located closer than 10m from a residentially zoned property. This shall not apply to any boathouse erected on that part of the site bordering the Hokowhitu Lagoon.

Explanation

There are already satisfactory separation distances between buildings on the site and adjoining residences and the minimum yard requirement serves to ensure a reasonable separation of any new buildings.

(d) Hours of Operation

- i. All non-residential activities undertaken on the site must cease between the hours of 11:00pm and 7:00am the following day.
- ii. Functions and events undertaken in the Coach House or grounds of Caccia Birch must cease by 10:30pm.

NOTE TO PLAN USERS

"Activities" includes complete clearance of people from the site.

Explanation

The hours of operation performance standard helps to avoid late night nuisance to residences by ensuring that larger numbers of people attending social functions of a festive nature such as weddings vacate the site by a set time.

(e) Noise

- (i) Sound emissions from any non-residential activity and from mechanical plant items such as heating and ventilating plant and generators, when measured at or within the boundary of any site in ~~the Residential Zone~~ the Medium Density Residential Zone (other than a road) shall not exceed the following:

7:00am to 10:00pm 45dB $L_{Aeq}(15mins)$

10:00pm to 7:00am 40dB $L_{Aeq}(15mins)$

10:00pm to 7:00am 65dBA L_{max}

- (ii) The standards set out in (i) above may be exceeded not more than 5 times in any twelve month period for special events relating to the use of the Caccia Birch Zone. Each special event shall take place between the hours of 7:00am and 10:30pm with no more than one special event taking place in any five day period. The permitted noise level for such events shall not exceed 80dB $L_{Aeq}(5mins)$ at the [Residential Zone Medium Density Residential Zone](#) boundary of the Caccia Birch Zone. Such events shall be notified to all immediate neighbours, by letter box drop, at least seven days prior to the dates of those events.

For the purpose of this rule, special events means an event that takes place on one day that would otherwise meet the permitted activity standards for community, recreational or cultural activities, administrative and educational purpose and social functions in R16.5.1, except that the activity exceeds the noise limits in condition (e)(i) above.

(f) **Parking**

Compliance with the following performance standards of R20.4.2:

- 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) **Signs**

Compliance with R6.1.5.

16.6 Rules: Controlled Activities

R16.6.1 CONTROLLED ACTIVITIES

The activities identified below:

- a. New Parking Areas
- b. Public Conveniences
- c. New or Relocated Buildings

are Controlled Activities in respect of:

- Design and Appearance
- Vehicle Access
- Effects on Adjoining Residential Areas

provided they comply with the Performance Standards to R16.5.1(a) - (g).

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 Caccia Birch Zone objectives and policies, assess any application in terms of the following assessment criteria:

Assessment Criteria

- i. To ensure any new or relocated building and structures are in keeping with the historic character of the property and are in satisfactory external condition.
- ii. To ensure that new or relocated buildings are placed on the site in such a way as to avoid disrupting the design relationship between the Caccia Birch House and Stables (Coach House).
- iii. To ensure the size and location and arrangement of car parking areas are compatible with the heritage character of the site and the amenity values and ambience of the adjoining residential area.
- iv. To utilise screening and amenity planting to mitigate, any adverse visual effects of development.

16.7 Rules: Restricted Discretionary Activities

R16.7.1 RESTRICTED DISCRETIONARY ACTIVITIES

Any Structure or Activity which does not Comply with the Performance Standards for Permitted or Controlled Activities in Relation to:

- (a) Height
- (b) Site Coverage
- (c) Separation Distances
- (d) Hours of Operation
- (e) Parking and Cycle Parking

is a Restricted Discretionary Activity with regard to:

- Design and appearance
- Effects on adjoining residential areas
- The safe and efficient operation of the roading network.
- 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 Caccia Birch Zone objectives and policies, assess any application in terms of the following further policies:

- a. To avoid, remedy or mitigate the effects of noise, hours of operation and other environmental disturbance on surrounding residential neighbourhoods.
- b. To take into account the limitation on siting which may be imposed by the existing site layout and topography.
- c. To avoid any compromising of the historic character of the site and its buildings.
- d. To ensure the design and appearance of any structure is in character with and complementary to the ambience and amenity values of the adjoining residential neighbourhood.
- e. To avoid, remedy or mitigate the effects of additional traffic and parking on adjoining residential areas by providing effective and visually buffered parking areas.
- f. The further policies contained within 20.3.1 of the Land Transport Section.

16.8 Rules: Discretionary Activities

R16.8.1 DISCRETIONARY ACTIVITIES

Any activity, building or structure that is not a Permitted, Controlled or Restricted Discretionary Activity shall be a Discretionary Activity, subject to compliance with the performance standards below.

Performance Standards

Any activity which does not comply with the performance standards in R16.5.1 must comply with the following standards

(a) Hours of operation

The activity must cease and all vehicles must leave the site before 11:30pm, and all persons associated with the activity must leave the site by midnight.

(b) Activity to occur indoors

The activity must occur inside Caccia Birch House from 10:30pm onwards.

(c) Maximum number of activities per year and minimum intervals

Any activity to which this rule applies may occur no more than 12 times in any calendar year, and no activity to which this rule applies shall occur within 14 days of another such activity.

(d) Sundays and Public Holidays

No activity to which this rule applies may occur on a Sunday or on any public holiday which is followed by a working day.

Explanation

Any activity which will not comply with the noise standards for permitted activities will require a resource consent. As it is unlikely that consent will be sought for a single event, the Rule allows for consent to be sought for a number of events which may occur over a period of years. The Rule does not stipulate a maximum noise level but the noise conditions (and any associated monitoring and review conditions) for activities consented under this Rule would be set at a level that is considered appropriate to protect the amenity of neighbours. Under R16.8.2, any application seeking consent to exceed noise levels permitted under R16.5.1(e) is to be notified to all the owners and occupiers within the area mapped in Appendix 16A.

R16.8.2 Notification

Any application for consent to any activity under R16.8.1 shall not be publicly notified, but limited notification of any application for consent to an activity which does not comply with R16.5.1(e) shall be given to all the owners and occupiers of land within the area mapped in Appendix 16A.

16.9 Non-Complying Activities

R16.9.1 NON-COMPLYING ACTIVITIES

Any activity, building or structure that is not a Permitted, Controlled, Restricted Discretionary Activity or Discretionary Activity shall be a Non-Complying Activity.

Explanation

The rules for the Caccia Birch Zone identify activities, and the effects generated by those activities, which Council consider to be appropriate for the area. It should be acknowledged that the Caccia Birch Zone is surrounded on three sides by residential properties and the fourth by the Centennial Lagoon. By identifying a limited range of activities and controlling the effects of those activities, it is the intention of the Council to enable the continued operation of Caccia Birch as a city-wide community resource while avoiding or mitigating any adverse effects of activities within the Zone on surrounding residential and recreational zoned properties.

NOTE TO PLAN USERS

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

Appendix 16A: Owners and Occupiers to receive Limited Notification Under R16.8.2

