

SECTION 1:

THE GENERAL

INTRODUCTION

CONTENTS

1.1	A Description of Palmerston North and its Natural and Physical Resources	1
1.1.1	<i>City and History</i>	1
1.1.2	<i>Land Area and Land Use</i>	1
1.1.3	<i>Demographics and Statistics</i>	3
1.1.4	<i>Climate</i>	4
1.1.5	<i>Climate Change</i>	4
1.1.6	<i>Topography and Geology</i>	5
1.2	The Purpose and Principles of the Resource Management Act 1991	5
1.3	The Statutory Framework	7
1.3.1	<i>The Interrelationship of Resource Management Act Plans and Documents</i>	7
1.3.2	<i>Relationship with Other Plans, Strategies And Policies</i>	7
1.3.3	<i>Statutory Acknowledgements of the Crown</i>	9
1.3.4	<i>National Policy Statement on Urban Development 2020 – Housing Bottom Lines</i>	9
1.4	Contents of District Plans	9
1.5	The Role of the District Plan	10
1.6	Sectional District Plan Review	11
1.7	Categories of Activity	11
1.8	Some Key Terms	12
1.9	How to Use This Plan	12
1.10	Procedures to Deal with Cross-Boundary Issues	13

1. THE GENERAL INTRODUCTION

This section provides some background information which underlies the direction and approach taken by this District Plan. As such it is largely explanatory.

1.1 A Description of Palmerston North and its Natural and Physical Resources

1.1.1 City and History

Palmerston North is a city located on the eastern part of the Manawatu Plains. The City also encompasses a large expanse of rural land, as well as Linton Military Camp, Massey University, the Fitzherbert Science Centre, and the Ashhurst, Longburn, Bunnythorpe and Linton villages. The City faces a diverse range of resource management issues that need to be addressed when preparing the District Plan under the Resource Management Act 1991 (RMA).

Prior to European settlement the Manawatu was covered in large areas of forest and swamp. Known Maori settlements were established mainly on the margins of the river, with the river providing the means of travel, communication, food and cultivable soils.

The tangata whenua (original inhabitants) of the Palmerston North district are the people known as Rangitāne. The iwi, also known as Tanenuiarangi, have been based in the region for hundreds of years and trace their origin from ancestors who settled on both the east coast and west coast of the North Island. Their east coast origins can be traced back to the Kurahaupo waka, which landed at Nukutaurua on the Mahia Peninsula. The west coast origins of the iwi are traced to the Aotea Waka which landed at Aotea Harbour (north of Taranaki). The Rangitāne trace their origins to Whatonga, one of three chiefs who commanded the Kurahaupo canoe as it sailed to New Zealand.

European settlement of the area commenced around the mid-1800s. By 1870 the beginnings of Palmerston North had been established on the Papaioea clearing and the following year Scandinavians arrived to take up 40 acre allotments and clear the bush for roads and a tramway.

1.1.2 Land Area and Land Use

Palmerston North has a total area of 43,129 hectares which covers a diverse range of landforms and activities. The District Plan adopts the use of zoning to group and allocate areas of the City for generic activities with similar effects. The breakdown of zones and the area for each respective zone is as follows:

Activity Type	Land Area Zoning (Accurate as at November 2014) (hectares)
RESIDENTIAL	2,351
Residential Zone	2,351
COMMERCIAL	155
Inner Business Zone	33
Outer Business Zone	80
Fringe Business Zone	20
Local Business Zone	22
INDUSTRIAL	758
Industrial Zone	529
North East Industrial Zone	229
RECREATION	1,254
Recreation Zone	400
Racecourse Zone	61
Conservation and Amenity Zone	314
Water Recreation Zone	464
Showgrounds Zone	15
RURAL	33,612
Rural Zone	31,318
Rural-Residential Areas	2,294
INSTITUTIONAL	252
Institutional Zone	252
OTHER	4,747
Airport Zone	201
Caccia Birch Zone	2
Flood Protection Zone	1,698
Flood Prone Areas	2,796
Race Training Zone	50

This table illustrates that the majority (78%) of the City's land is within the Rural Zone, with the next highest proportion of land area (5%) being zoned Residential. Business zones account for less than 1% of the City's land area, and generally occur where there are multiple shops or large shops concentrated together (e.g. Central Business District, Broadway Avenue, Rangitikei Street, and suburban shopping centres). The Industrial Zone and North East Industrial Zone cover 2% of the City's area and are generally confined to the northern part of the City on both sides of the North Island Main Trunk Railway. The North East Industrial Zone is

located on the north eastern edge of the City adjacent to Railway Road. Other small pockets of Industrially zoned land occur in other parts of the City where industrial activities were historically established (e.g. Roxburgh Crescent). Recreation zones account for 3% of the land area and occur across the City — from local reserves and playgrounds to large specialised or multi-purpose facilities (e.g. Awapuni Racecourse and Arena Manawatu).

NOTE TO PLAN USERS

This information simply reflects the zoning of land at November 2014. It should not be taken as an intention to retain either the specific zones, the current provisions which apply to land within them, or to the areas they cover.

1.1.3 Demographics and Statistics

Population

In 2013, Statistics New Zealand estimated that Palmerston North's population stood at 83,500. Statistics New Zealand has projected population growth of 17,100 in Palmerston North between 2006 and 2031, and that the City population will reach 97,900 by 2031.

Population Age

The tertiary education sector and two major defence bases in the region (Linton Army Camp and Ohakea Air Base) are important attractors of young people into the City. The City has one of the lowest median ages in New Zealand (33.8 years). The projected 2031 median age for Palmerston North is 36.0 years. The City will see an aging in its population, with significant growth in the number of people aged 65 and over.

Economic Growth

The number of jobs in the City has increased more slowly than the national trend while earnings in the City have increased at a similar rate to those recorded nationally. Average earnings in the City have increased more strongly than nationally.

One of the strengths of recent economic growth in the City has been the range of contributing sectors. The six key sectors which are expected to contribute the most to employment growth in the City over the next 25 years are: healthcare and social assistance; retail trade, accommodation and food services; logistics (transport, warehousing, and wholesale trade); public administration and safety; and professional, scientific and technical services; and primary production (on farm processing).

The education, research and defence sectors are not likely to grow as fast as the key growth sectors, but they will remain key sectors for the city economy.

Employment Growth

Employment grew strongly in Palmerston North between 2000 and 2009 but declined between 2009 and 2013 due to the impact of the Global Financial Crisis. Employment (job count) growth projections for the City suggest the number of jobs may rise by 9,367 (20% increase) between 2006 and 2031. The number of full-time jobs increased more strongly between 2001 and 2013 compared with the number of part-time jobs.

Ethnic Diversity

The City has already experienced rapid change in the ethnicity of its population and this trend is likely to accelerate. Major changes projected for the future are significant increases in the proportion of Maori, Pacific and Asians living in the City.

Household Size

The average household size in Palmerston North is set to decline from 2.6 to 2.3 people

between 2006 and 2031. The family household is by far the most common household type for Palmerston North City accounting for 68% of households.

The statistics and projections above are drawn primarily from Statistics New Zealand. Up to date demographics and projections for the City can be sourced from the Reports section of the Council website or by contacting the City Future Unit at the Council.

1.1.4 Climate

Palmerston North's climate is temperate. Temperatures range as follows:

	Average Daytime High	Average Over-night Low
Summer: February	22°C	13°C
Winter: July	12°C	4°C

On average, temperatures for 17 days of the year rise above 25°C.

Annual average rainfall is approximately 982mm, with rainfall occurring approximately 6% of the time. There are on average 196 rain-free days each year. The prevailing wind is a westerly and is often stronger in spring (September to November) but rarely reaches gale force. Due to the expanse of easily undulating land to the west of the City, windy days are frequent as there are few physical barriers between the city and the coast (source: NIWA).

1.1.5 Climate Change

The climate is changing. It is internationally accepted that further changes will result from increasing amounts of greenhouse gas emissions in the atmosphere. The National Institute of Water and Atmospheric Research (NIWA) make a number of 30 and 60-year predictions based on the amount of greenhouse gas emissions going into the atmosphere. They model a wide range of different scenarios to identify the possible range of weather experiences.

The mid-range of prediction suggests that for Palmerston North there will be fewer frost days, more hot days, stronger winds and more rainfall in the winter and spring, with a drier summer and autumn. The projected changes in seasonal and annual mean temperature in degrees Centigrade relative to 1990 are shown below for the Manawatu-Wanganui region. The first number in each case is a mid-range estimate of what the change will be; the figures in brackets give the model range in which the change could lie.

Projected changes in seasonal and annual mean temperature in degrees centigrade relative to 1990 for the Manawatu-Wanganui region

Year	Summer		Autumn		Winter	
2040	1.1 (0.2 to 2.3)	1.0 (0.2 to 2.6)	0.9 (0.2 to 2.2)	0.8 (0.0 to 1.9)	0.9 (0.2 to 2.2)	
2090	2.3 (0.9 to 6.0)	2.2 (0.6 to 5.3)	2.1 (0.5 to 5.0)	1.8 (0.3 to 4.9)	2.1 (0.6 to 5.3)	

The projected changes in seasonal and annual precipitation as a percentage relative to 1990 for Manawatu- Wanganui region are shown below. The first number in each case is a mid-range estimate of what the change will be; the figures in brackets give the model range in which the change could lie.

Projected changes in seasonal and annual precipitation as a percentage relative to 1990 for Manawatu-Wanganui region

Year	Summer	Autumn	Winter
2040	-1 (-21 to 13)	3 (-8 to 10)	5 (-3 to 15)
2090	-3 (-42 to 12)	-1 (-20 to 12)	8 (-5 to 25)

There is a substantial uncertainty about the projected future wind changes, as evidenced by the wide range across the climate models. Only in winter do all the models project increasing westerly flow across New Zealand.

1.1.6 Topography and Geology

The geology of Palmerston North is predominantly alluvial soils on a series of floodplains gradually rising up from the current position of the Manawatu River. The area of the City on the western side of the Manawatu River, which includes the majority of the urban area, Ashhurst and surrounding rural areas are all comprised of alluvial soils. The western area is subject to flooding, however the construction and ongoing improvements to the Lower Manawatu River Control Scheme put in place by Horizons Regional Council has reduced the likelihood of a major natural event affecting the urban area. The eastern side of the Manawatu River, which includes Massey University, Aokautere and the rural areas to the eastern boundary in the Ranges, are comprised of soft sandstone 'terraces'. The ranges themselves are mostly formed from greywacke, argillite and other volcanic rock. The Manawatu River meanders through the Palmerston North City area from the Manawatu Gorge to south of Linton.

(Source: Saunders, B G R and Anderson, A G (eds.) (1964). *Introducing Manawatu*. Department of Geography, Massey University: Palmerston North.)

1.2 The Purpose and Principles of the Resource Management Act 1991

Within the RMA there is a very clear philosophy and direction which is primarily contained within Part 2 of the RMA, the Purpose and Principles.

Section 5 in that Part states that the purpose of the RMA, and by definition anything undertaken in terms of the RMA, is "to promote the sustainable management of natural and physical resources".

The RMA then goes on to define sustainable management as:

"Managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural well-being and for their health and safety while -

- a. *Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- b. *Safeguarding the life-supporting capacity of air, water, soil and ecosystems; and*
- c. *Avoiding, remedying or mitigating any adverse effects of activities on the environment."* [Section 5(2)]

To clearly understand the meaning of this section, it is also important to look at the definition of environment which is contained within the RMA. The RMA defines 'environment' to include "ecosystems and their constituent parts including people and communities, all natural and physical resources, amenity values, and the social, economic, aesthetic and cultural conditions which affect the matters stated above".

Palmerston North City Council District Plan

In addition to the overarching principle of sustainable management, the RMA also identifies in Sections 6 to 8 a number of other more specific matters that should be central to the way in which we plan for the use of our resources.

In this District Plan, and in the way, Council exercises the powers given to it in the RMA, it must:

Recognise and Provide for:

- The preservation of the natural character of the coastal environment, wetlands and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use and development. [Section 6(a)].
- The protection of outstanding natural features and landscapes from inappropriate subdivision, use and development. [Section 6(b)]
- The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna. [Section 6(c)]
- The maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers. [Section 6(d)]
- The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga. [Section 6(e)]
- The protection of historic heritage from inappropriate subdivision, use, and development. [Section 6(f)]
- The protection of protected customary rights [Section 6(g)].
- The management of significant risks from natural hazards [Section 6(h)].

Have particular regard to:

- Kaitiakitanga. [Section 7(a)]
- The ethic of stewardship [Section 7(a)]
- The efficient use and development of natural and physical resources. [Section 7(b)]
- The efficiency of the end use of energy. [Section 7(ba)]
- The maintenance and enhancement of amenity values. [Section 7(c)]
- Intrinsic values of ecosystems [Section 7(d)]
- Maintenance and enhancement of the quality of the environment. [Section 7(f)]
- Any finite characteristics of natural and physical resources. [Section 7(g)]
- The protection of the habitat of trout and salmon. [Section 7(h)]
- The effects of climate change. [Section 7(i)]
- The benefits to be derived from the use and development of renewable energy. [Section 7(j)]

Take into account:

- The principles of the Treaty of Waitangi (Te Tiriti O Waitangi). [Section 8]

1.3 The Statutory Framework

1.3.1 The Interrelationship of Resource Management Act Plans and Documents

The District Plan forms part of a group of inter-related planning and policy documents which are established under the RMA. The intention of the RMA is that all these Plans and documents should work together to achieve the integrated management of natural and physical resources. The RMA requires that Regional Policy Statements and Regional Plans must give effect to National Policy Statements. The RMA also requires that District Plans must give effect to National Policy Statements and Regional Policy Statements must not be inconsistent with a Regional Plan. This leads to the creation of a coherent network of plans and other instruments.

At the National level the RMA provides for:

National Policy Statements: the purpose of which is to state objectives and policies for matters of national significance that are relevant to achieving the purpose of the RMA.

National Environmental Standards: which are regulations that prescribe technical standards, methods and other requirements for environmental matters.

At the next level there are policies and plans produced by Horizons Regional Council. These include:

Regional Policy Statement: the purpose of which is to provide an overview of the resource management issues of the region and policies and methods to achieve the integrated management of natural and physical resources of the whole region.

Regional Plans: the purpose of which is to assist Horizons Regional Council to carry out its functions in order to achieve the purpose of the RMA.

1.3.2 Relationship with Other Plans, Strategies And Policies

The RMA also requires the District Plan to take into account a range of other plans, strategies and policies. In terms of other plans, strategies and policies the most relevant to this District Plan are:

The Ten Year Plan (LTP)

Council is required to prepare a 10 Year Plan under the Local Government Act 2002. The 10 Year Plan includes the vision and goals for the City. It also includes what the Council is planning on doing and why, how much it will cost, and how it will be funded. The Council has to prepare a 10 Year Plan every three years. During years two and three of a 10 Year Plan the Council still has to produce an Annual Plan. The 10 Year Plan contains all the information that would be in an Annual Plan. Hence, in the year that a 10 Year Plan is developed, an Annual Plan is not needed.

Sustainable City Strategy

The Sustainable City Strategy is a high-level strategy that sets out the future direction to achieve sustainability. The Strategy is guided by the Local Government Act 2002 and the need to balance environmental, social, cultural and economic needs. The financial implications of any future decisions will be dealt with through the Annual Plan and the 10 Year Plan processes.

Land Use Strategies

The Council prepares and updates land use strategies that manage future growth within the City such as Residential, Industrial, Rural-Residential and Retail development. The Rural-Residential Land Use Strategy seeks, first and foremost, to protect the economic viability of Palmerston North's rural economy, taking into account social, economic and environmental drivers. It provides direction as to how the projected demand for rural living will be managed over a ten-year planning period in an integrated manner. The District Plan plays an important role implementing the land use strategies through the zoning of land and development of associated subdivision and land use controls. Land use strategies also inform the Council's Asset Management Plans and Development Contributions Policy.

Urban Design Strategy

Urban design is concerned with the design of the buildings, places, spaces and networks that make up our towns and cities, and the way people use them. It ranges in scale from a metropolitan region, city or town down to a street, public space or even a single building.

Urban design is concerned not just with appearances and built form, but with the environmental, economic, social and cultural consequences of design. It is an approach that draws together many different sectors and professions, and it includes both the process of decision-making as well as the outcomes of design.

The Urban Design Strategy presents a vision for the physical development of Palmerston North to promote a vibrant, caring, creative and sustainable city.

Recreation Strategy

The Recreation Strategy describes the Council's long term vision for recreation in the City. The strategy seeks recreational opportunities that exhibit the best qualities of a sustainable, livable city in which all types of people have a high quality of life and a variety of recreation choices.

Regional Land Transport Strategy

The Regional Land Transport Strategy was developed by the Horizons Regional Transport committee which is made up of representatives from Horizons Regional Council, all councils in the region, the New Zealand Transport Agency, and individuals representing access and mobility, environmental sustainability, economic development, public health, safety and personal security and cultural interests. It sets the strategic direction for transport in the Region by describing the vision, objectives and outcomes that will guide the development of the Region's transport network over the next 30 years. The Strategy covers all forms of transport, including public transport, local roads, state highways, walking and cycling.

Asset Management Plans

Asset Management Plans describe the strategies and works programmes for each asset group (activity) so as to meet the objective of delivering the required level of service to existing and future users in the most cost effective way. Asset Management Plans inform the Council's 10 Year plan and Development Contributions Policy.

The Development Contributions Policy

Council is required to have a Development Contributions Policy as a component of its Funding and Financial Policies in its 10 Year Plan under section 102(2)(d) of the Local Government Act 2002. Development Contributions provide Council with the means to fund infrastructure required due to growth.

Development contributions under the Local Government Act 2002 are in addition to, and separate from, Financial Contributions under the RMA. While Council generally considers development contributions under this Development Contributions Policy as its main funding

tool for infrastructure it may also require Financial Contributions under the RMA.

1.3.3 Statutory Acknowledgements of the Crown

Statutory Acknowledgements are acknowledgements by the Crown of statements by iwi of their cultural, spiritual, historical, or traditional association with certain areas of Crown-owned land.

These acknowledgements are recognised under the Resource Management Act 1991 and the Heritage New Zealand Pouhere Taonga Act 2014.

The authorities who give resource consents under these acts – the Palmerston North City Council, the Environment Court and Heritage New Zealand Pouhere Taonga – must also have regards to these statements.

Recording statutory acknowledgements on statutory plans

The Rangitāne o Manawatu Claims Settlement Act 2016 requires Council to attach information to the District Plan which defines where statutory areas are located. This information is contained in Schedule 1: Statutory Acknowledgements of the Rangitāne o Manawatu Claims Settlement Act 2016 and has been re-referenced in the District Plan in Section 3.7 of Section 3: Tangata Whenua and Resource Management.

Guidance Note:

The attachment of information recording statutory acknowledgements is for public information only. The information is not part of the District Plan or subject to the provisions of Schedule 1 of the Resource Management Act 1991.

1.3.4 National Policy Statement on Urban Development 2020 – Housing Bottom Lines

The National Policy Statement for Urban Development (2020) requires Council, as a tier 2 authority, to set housing bottom lines which must be placed in the District Plan. Council has adopted the following bottom lines in its 2023 Housing and Business Needs Assessment. Our housing bottom lines are:

Short-medium term <i>Within the next 10 years</i>	Long term <i>Between 10 and 30 years</i>
3,993	5,891
Includes an additional margin of 20%	Includes an additional margin of 15%

1.4 Contents of District Plans

The contents of this District Plan are largely the result of the statutory provisions of the RMA, in particular sections 31 (functions), 74 (matters to be considered by a territorial authority), 75 (contents of district plans) and 76 (district rules).

Section 31 sets out the functions that territorial authorities have in terms of how the RMA is put into effect. In summary these functions are:

- The establishment, implementation and review of objectives, policies and

Palmerston North City Council District Plan

methods to achieve the integrated management of the effects of the use, development and protection of land and associated natural and physical resources of the District.

- The establishment, implementation, and review of objectives, policies, and methods to ensure that there is sufficient development capacity in respect of housing and business land to meet the expected demands of the district.
- The control of the actual or potential effects of use, development or protection of land subject to a natural hazard.
- The maintenance of indigenous biological diversity
- The control of noise emission and the mitigation of noise effects.
- The control of the effects of activities on the surface of water in lakes and rivers.

The methods used to carry out any functions listed above may include the control of subdivision.

Section 74 states the matters that a territorial authority shall consider when it prepares or changes its district plan. Under Section 74 any plan change must be in accordance with the Councils functions, provisions of Part 2 of the Act, its duty under Section 32, a direction given under 25(A)(2), and any National Policy Statement, New Zealand Coastal Policy Statement, National Planning Standard or any Regulations. Any plan change shall also have regard to any proposed Regional Policy Statement or proposed Regional Plan, any other management plans or strategies prepared under other acts, and any relevant entry on the New Zealand Heritage List/Rārangī Kōrero, and any relevant planning document recognised by an iwi authority and any regulations relating to ensuring sustainability and/or conservation be consistent with the plans or proposed plans or adjacent territorial authorities.

Section 75 sets out the contents of a District Plan. Importantly, a District Plan must state the objectives for the district; the policies to implement the objectives; and the rules (if any) to implement the policies. The District Plan must also give effect to any national policy statement; New Zealand coastal policy statement; and any national planning standard and regional policy statement. A district plan must not be inconsistent with a regional plan, or water conservation order.

Finally, Section 76 allows a local authority, for the purpose of carrying out its functions under the RMA and achieving the objectives and policies of the Plan, to include rules in the Plan.

1.5 The Role of the District Plan

The District Plan is the means by which the Council fulfils its specific functions under the RMA to promote the sustainable management of natural and physical resources in the City. These functions are listed in section 31.

However, in controlling the effects of the use of land, the provisions of the District Plan have a significant effect on the way communities operate on a day-to-day basis. The District Plan to a lesser or greater extent creates a framework which allows the community to develop in a sustainable manner. It can help to achieve a basic compatibility between activities with incompatible effects and can do much to ensure that the environmental and amenity standards the community values, are achieved or monitored. Equally, District Plans can provide certainty as to the nature of future development and can assist in implementing the outcomes of other plans, strategies and policies such as the Sustainable City Strategy. Finally, because District Plans are based on community consultation and involvement, they should reflect the concerns of all sectors of the community including the particular concerns of Rangitāne.

District Plans are not however, a universal panacea and there are many things they alone cannot achieve. For example, the District Plan is not a driver of social change; it is part of a system. As society shapes the built environment, the built environment in turn shapes our social interactions, local culture, health, and economic wellbeing. Equally, the District Plan is a document with potential, which if used, may assist in achieving economic growth, environmental improvement and sustainable management of our land resource. To be effective a District Plan's provisions must be used or its ability to achieve outcomes will remain as a potential achievement. Moreover, as indicated above, District Plans do not deal directly with air and water issues, which are the responsibility of Regional Councils.

1.6 Sectional District Plan Review

The District Plan was first made operative in December 2000. Section 79(1) of the RMA requires Council to commence a review of a provision of the District Plan if the provision has not been a subject of a proposed policy statement or plan, a review, or a change by the local authority during the previous 10 years. Without limiting Section 79(1) of the RMA, Section 79(4) provides Council with the opportunity to undertake a full review of the District Plan.

In December 2009 the Council resolved to make use of Section 79(1) of the RMA and undertake a Sectional District Plan Review. The review of all sections of the Plan was completed in 2018 and the District Plan was made operative on 13 May 2019

1.7 Categories of Activity

The RMA provides for six categories of activity. These can be described as follows:

Permitted Activities

This is an activity which does not require a resource consent and can be undertaken as of right if it complies with any performance standards identified in this Plan.

Controlled Activities

This is an activity which is provided for as an activity which requires a resource consent. The resource consent must be granted (unless exceptional circumstances exist) and will be assessed in terms of the matters over which control is reserved in this Plan or any national environmental standard. The consent may include conditions.

Restricted Discretionary Activity

This is an activity which is described as a restricted discretionary activity in this Plan and requires a resource consent. The Plan or a national environmental standard will, however, detail the specific matters over which discretion has been retained and which will be assessed when considering any resource consent application and any associated conditions.

Discretionary Activity

This is again an activity which is provided for as a discretionary activity in the Plan, but in this case the Plan has not limited the matters which will be assessed when any resource consent application is considered.

Applications for resource consents for both types of discretionary activity may be declined.

Non-Complying Activity

A Non-Complying Activity is an activity described as such in the Plan, a proposed Change or in a National Environmental Standard and requires a resource consent.

Palmerston North City Council District Plan

Under Section 104D of the RMA the Council may not grant consent to a Non-Complying Activity unless it is satisfied either that the adverse effects of the activity on the environment will be minor, or that the proposed activity is not contrary to the objectives and policies of the relevant Plan and/or proposed Plan.

Prohibited Activity

This is an activity which the Plan expressly prohibits and describes as an activity for which no resource consent shall be granted.

The category of Prohibited Activity is expressly provided for in this District Plan. These activities are prohibited. No resource consent shall be granted for them.

All of these categories of activity are provided for in this Plan.

1.8 Some Key Terms

Throughout this District Plan a number of terms are consistently used and it is important at the outset that there is a clear understanding of the meaning of these terms. It is also important to explain these terms as there are no specific definitions of them within the RMA itself. Thus, the explanations below indicate the meaning which is attached to each of these terms throughout this District Plan and are intended to assist users in understanding their use.

Objective

An objective is a particular outcome that the District Plan is seeking to help achieve the purpose of the RMA.

Policy

Is a specific course of action or statement of intent which will assist in achieving an objective.

Assessment Criteria

Specifically address some aspect of the assessment of a particular application.

Method

Is a tool for implementing policies, including but not limited to, rules, design guidelines, structure plans, and education.

Environmental Results Anticipated

These are a collection of results which the District Plan seeks to achieve with regard to the environment.

Performance Standards

Activities are controlled on the basis of the effects and anticipated environmental outcomes. Here the maximum level of effect permitted for any one parameter (e.g. building height) is specified, and provided the activity meets that performance standard, it is permitted.

Non-compliance with a particular standard will transfer the activity from one class to another. Performance standards may also be stipulated for Controlled Activities, Restricted Discretionary Activities, Discretionary Activities and Non-Complying Activities

1.9 How to Use This Plan

In determining if an activity is provided for by this Plan or is provided for in a certain area, users should undertake the following steps.

Planning maps and District Plan Section

1. Consult the Planning Maps to determine the zoning of the site.

2. Refer to the appropriate Section of the Plan.

Category of Activity

3. Within that Section determine if the activity is provided for, and also what category of activity, e.g. permitted, controlled, restricted discretionary, discretionary, non-complying or prohibited.
4. If there is doubt as to whether the activity proposed by an applicant falls within a particular category reference to the Definitions section (Section 4) should help.

Heritage and Designation Schedules

5. Check the Schedules of Section 17 (Cultural and Natural Heritage) and 24 (Designations) to ensure that the proposed activity, development or redevelopment would not affect a heritage resource or is not located on a site subject to a designation.

Performance Standards

6. If the activity is permitted refer to the performance standards to which it must adhere. For example; a proposal for a new dwelling must comply with the performance standards set out in the Residential Section. A number of other Sections of the Plan may also have relevant information and should be examined to ensure all matters have been complied with.

Resource Consent Application

7. In preparing an application, reference should be made to the City View objectives (Section 2) which look at resource management issues from a total City view. Reference should also be made to the objectives and policies of the particular zone.
8. An application will then be assessed as to the requirement for public or limited notification and the necessity to obtain the written approval of affected parties. It should be noted that in some cases the Plan specifies what will occur for each activity, with regard to public and limited notification and written approvals.
9. When an application is processed, the provisions of Part 6 (Resource Consents) of the RMA will be used, in addition to information on the assessment of effects on the environment and any other information provided, to assess the application.
10. Where consent is declined or the applicant is dissatisfied with the proposed conditions, there is a right of appeal to the Environment Court. Persons who have made a submission on the application also have a right to appeal to the Environment Court.

1.10 Procedures to Deal with Cross-Boundary Issues

Where any issue has been identified as a cross-boundary issue, Council will ensure that it consults with other affected local authorities at the time the appropriate District Plans are formulated or where application for a resource consent or plan change is made. After such consultation, and where appropriate, consideration will be given to having a joint hearing to address such matters.

On a more informal basis, regular discussions will be undertaken with adjoining authorities on cross- boundary issues.

As a result of cross-boundary issues a boundary change with the Manawatu District Council was initiated during 2011 and took effect on 1 July 2012. The area affected by the boundary change was incorporated within the Palmerston North City District Plan via a Proposed District Plan Change in early 2015.