

# SECTION 7: SUBDIVISION

From 25 October 2022 the District Plan rules identified in the table below, as amended by PCG now have legal effect.

District Plan Section	Rule Reference	Description
<b>Section 7: Subdivision</b>		
Restricted Discretionary Activities	R7.15.2.1	Subdivision within the Aokautere Rural-Residential Area, Moonshine Valley Residential Area and the Rural Residential Overlay
Non-Complying Activities	R7.15.4.1(4)	Aokautere Rural Residential Area

## CONTENTS

<b>7.1</b>	<b>Introduction</b>	<b>1</b>
<b>7.2</b>	<b>Resource Management Issues</b>	<b>2</b>
<b>7.3</b>	<b>Objectives and Policies</b>	<b>5</b>
<b>7.4</b>	<b>Methods</b>	<b>30</b>
<b>7.5</b>	<b>Principal Reasons</b>	<b>32</b>
<b>7.6</b>	<b>Residential Zone</b>	<b>32</b>
7.6.1	<i>Rules: Controlled Activities</i>	32
R7.6.1.1	Controlled Activities	32
7.6.2	<i>Rules: Restricted Discretionary Activities</i>	37
R7.6.2.1	Restricted Discretionary Activities	37
R7.6.2.2	Subdivision Within the Napier Road Residential Area and Napier Road Residential Extension Area	40
R7.6.2.3	Subdivision in the Grand Oaks Drive Residential Area	45
R7.6.2.4	Subdivision in the Hokowhitu Lagoon Residential Area	46
R7.6.2.5	Non-Notification of Subdivision in the Hokowhitu Lagoon Residential Area	50
7.6.3	<i>Rules: Discretionary Activities</i>	50
R7.6.3.1	Discretionary Activities	50
7.6.4	<i>Rules: Non-Complying Activities</i>	50
R7.6.4.1	Non-Complying Activities	50
<b>7.7</b>	<b>Business Zones</b>	<b>50</b>

7.7.1	Rules: <i>Controlled Activities</i>	50
R7.7.1.1	Controlled Activities	50
7.7.2	Rules: <i>Restricted Discretionary Activities</i>	51
R7.7.2.1	Essential Services	51
7.7.3	Rules: <i>Discretionary Activities</i>	52
R7.7.3.1	Discretionary Activities	52
<b>7.8</b>	<b>Industrial Zone and North East Industrial Zone</b>	<b>52</b>
7.8.1	Rules: <i>Controlled Activities</i>	52
R7.8.1.1	Controlled Activities	52
7.8.2	Rules: <i>Restricted Discretionary Activities</i>	54
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.	62
R7.8.2.3	Subdivision within the Napier Road Industrial Precinct	62
7.8.3	RULES: <i>DISCRETIONARY ACTIVITIES</i>	65
R7.8.3.3	Any Subdivision within the North East Industrial Zone Extension Area that cannot comply with R7.8.1.1(d)	65
7.8.4	Rules: <i>Non-Complying Activities</i>	65
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.	65
R7.8.4.2	Any subdivision in the North East Industrial Zone Extension Area seeking access to Railway Road is a non-complying activity.	66
R7.8.4.3	Any subdivision in the Braeburn Industrial Area is a non-complying activity.	66
<b>7.9</b>	<b>Institutional Zone</b>	<b>66</b>
7.9.1	Rules: <i>Controlled Activities</i>	66
R7.9.1.1	Controlled Activities	66
7.9.2	Rules: <i>Restricted Discretionary Activities</i>	67
7.9.3	Rules: <i>Discretionary Activities</i>	67
<b>7.10</b>	<b>Airport Zone</b>	<b>67</b>
7.10.1	Rules: <i>Discretionary Activities</i>	67
R7.10.1.1	Discretionary Activities	67
<b>7.11</b>	<b>Recreation, Conservation and Amenity, Racecourse and Arena Zones</b>	<b>67</b>
7.11.1	Rules: <i>Restricted Discretionary Activities</i>	67
<b>7.12</b>	<b>Caccia Birch Zone</b>	<b>68</b>
7.12.1	Rules: <i>Discretionary Activities</i>	68
R7.12.1.1	Discretionary Activities	68

<b>7.13</b>	<b>Race Training Zone</b>	<b>68</b>
7.13.1	Rules: <i>Restricted Discretionary Activities</i>	68
7.13.2	Rules: <i>Discretionary Activities</i>	69
R7.13.2.1	Discretionary Activities	69
<b>7.14</b>	<b>Flood Protection Zone</b>	<b>69</b>
7.14.1	Rules: <i>Restricted Discretionary Activities</i>	69
R7.14.1.1	Restricted Discretionary Activities	69
7.14.2	Rules: <i>Non-Complying Activities</i>	69
R7.14.2.1	Non-Complying Activities	69
<b>7.15</b>	<b>Rural Zone</b>	<b>70</b>
7.15.1	Rules: <i>Controlled Activities</i>	70
R7.15.1.1	Controlled Activities	70
7.15.2	Rules: <i>Restricted Discretionary Activities</i>	73
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:	73
R7.15.2.2	Any Subdivision that seeks access to a Restricted Access Road	79
R7.15.2.3	Any Subdivision that does not comply with R6.3.6.1 (a)	79
7.15.3	Rules: <i>Discretionary Activities</i>	80
R7.15.3.1	Discretionary Activities	80
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.	80
7.15.4	Rules: <i>Non-Complying Activities</i>	81
R7.15.4.1	Non-Complying Activities	81
<b>7.16</b>	<b>All Zones</b>	<b>82</b>
7.16.1	Rules: <i>Controlled Activities</i>	82
R7.16.1.1	Any Subdivision for the purpose of accommodating any network utility where the maximum area of the allotment does not exceed 200m <sup>2</sup> is a controlled Activity in respect of:	82
7.16.2	Rules: <i>Restricted Discretionary Activities</i>	82
R7.16.2.1	Any Subdivision within a Flood Prone Area identified on the Planning Maps is a Restricted Discretionary Activity, with regard to:	82
R7.16.2.2	Any Subdivision within the National Grid Subdivision Corridor	83
R7.16.2.3	Any Subdivision in proximity to a National Grid Substation	84
R7.16.2.4	Subdivision Requiring Access onto a State Highway or a Limited Access Road	85
R7.16.2.5	Subdivision of an allotment containing a scheduled Historic Heritage Item identified in Appendix 17A and sites identified in Appendix 17B	85
7.16.3	Rules: <i>Non-Complying Activities</i>	86

<b>Map 7.1 Petersens Rd, Aokautere Village and Hewitts Road Residential Area</b>	<b>87</b>
<b>Map 7.1B Pacific Drive Extension Area</b>	<b>88</b>
<b>Map 7.2 North East Industrial Zone</b>	<b>89</b>
<b>Structure Plan Cross Section: Road Layout 1</b>	<b>89</b>
<b>Structure Plan Cross Section: Road Layout 2</b>	<b>91</b>
<b>Structure Plan Cross Section: Road Layout 3</b>	<b>92</b>
<b>Structure Plan Cross Section: Road Layout 4</b>	<b>93</b>
<b>Diagram 7.3A Example of Public Service Corridor Provision</b>	<b>94</b>
<b>Diagram 7.3B Example of Public Service Corridor Provision</b>	<b>94</b>
<b>Map 7.4 Midhurst Street Industrial Area</b>	<b>95</b>
<b>Map 7.5 Napier Road Residential Area</b>	<b>97</b>
<b>Explanatory Diagram National Grid</b>	<b>98</b>
<b>Map 7.6 Spatial Extent of Class 1, 2 and 3 Soils in Palmerston North</b>	<b>99</b>
<b>Map 7.7.2.6 Hokowhitu Lagoon Residential Area Structure Plan</b>	<b>100</b>
<b>Map 7.7.2.7 Ruahine Reserve Dimension</b>	<b>101</b>
<b>Map 7.8 Pressure Sewer System Areas</b>	<b>102</b>
<b>Map 7.9 Napier Road Residential Extension Area Structure Plan</b>	<b>103</b>
<b>Map 7.9a Napier Road Residential Extension Area Road Cross Section</b>	<b>104</b>

# 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 overtaking 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 350m<sup>2</sup> in the Palmerston North residential areas, and less than 500m<sup>2</sup> 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.
- 2.1A 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.
- 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 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 sewerage 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
- **requires development to be in accordance with any relevant Structure Plan**
- maintains the low density development pattern in the Moonshine Valley Rural Residential Area.

- 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 in Aokautere**

## 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:

1. 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.
2. Adequate provision must be made on-site, for water supply, including firefighting water supply, waste disposal, stormwater drainage, the disposal of sewage, and the supply of electricity, where residential occupancy is proposed.
3. 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.
4. 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).

5. 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.
  6. 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.
  7. 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 generations;
    - 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 Rural-Residential Area identified on the Aokautere Structure Plan, where it is demonstrated that:
- a. It is in general accord with the Aokautere Structure Plan;
  - b. The roading network identified on the Aokautere Structure Plan is provided for;
  - c. There is connectivity with existing and future developments;
  - d. Subdivision and development will not occur in advance of the availability of operational transport infrastructure;
  - e. 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.

- f. It maintains, and where possible enhances, existing amenity values.
- g. It satisfies Objective 6 and related policies in Section 7A Greenfield Residential Areas and protects the gully system and significant natural areas and wetlands in Aokautere;
- h. It provides a safe and legible road 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;
- i. There is appropriate infrastructure available to service the development, including on-site wastewater and stormwater servicing, which ensures there is no increase in effects on surrounding areas;
- j. Earthworks avoid adverse effects on the gully network;
- k. 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;
- l. Subdivision and development is managed to avoid new or exacerbated natural hazards by:
  - 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;
  - earthworks and recontouring of land being undertaken in accordance with a design plan by an accredited Chartered Professional Engineer experienced in soil mechanics or geotechnical matters, with the design providing for predicted improvements to soil slope and stability through the development and the impact on existing vegetation and landscape values;
- m. 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.

## OBJECTIVE 4

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

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## 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
    - 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.**

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### **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**

**n**

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 Rural-Residential Area identified on the Aokautere Structure Plan are made. The Aokautere Master Plan is intended to inform application of the Aokautere Structure Plan

by providing guidance on land development in the area. While the Master Plan 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.

### **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 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 400m<sup>2</sup> of contiguous developable land; and
  - the average area of lots available for residential purposes shall be at least 600m<sup>2</sup>. In calculating the average lot area, no lots over 1000m<sup>2</sup> shall be included.
- ii. In the Aokautere Parklands Area each lot shall contain 1300m<sup>2</sup> of contiguous developable land.
- iii. In the Napier Road Extension Area, Ashhurst, Bunnythorpe and Longburn village residential areas – each lot must be at least 500m<sup>2</sup>.
- iv. In the Palmerston North urban area – each lot must be at least 350m<sup>2</sup>.

#### **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 3000m<sup>2</sup> 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.

**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 5000m<sup>2</sup> and contain at least 1300m<sup>2</sup> 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), Unserviced 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 2000m<sup>2</sup> 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**

750m<sup>2</sup>

##### **(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 Roothing 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 700m<sup>2</sup>.
- (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 600m<sup>2</sup>.

**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 if 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 of 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).
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 (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 Settlers 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 safety 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 7500m<sup>2</sup> 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 5000m<sup>2</sup>, 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**

### **7.8.4.1 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

#### 7.9.1.1 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**

#### **R7.10.1.1 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**

#### **R7.11.1.1 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.

## 7.12 Caccia Birch Zone

### 7.12.1 RULES: DISCRETIONARY ACTIVITIES

#### R7.12.1.1 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

#### R7.13.1.1 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

- No application under R7.13.1.1 is required to be publicly notified
- 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 5000m<sup>2</sup> 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 800m<sup>2</sup> 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
- **The extent to which the subdivision is in accordance with the relevant Structure Plan**
- 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** and amenity values
- Natural Hazards
- Reverse sensitivity effects
- Effects on Council's infrastructure network
- **Management of stormwater runoff**
- **Availability of operational transport infrastructure**
- 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 Aokautere
- Outcomes of any consultation with the Manawatu-Wanganui Regional Council
- Cultural Values

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 – 5000m<sup>2</sup>, 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 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:

- 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 Rural Residential area; with particular reference to:
  - Cut slope behavior and slope stability analysis to develop appropriate setback distances from the crest of slopes for building platforms;
  - Whether building platforms should be restricted in certain areas; and/or
  - Whether specific foundations designs are required in certain locations.

*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), 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.

#### (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 Area on the Aokautere Structure Plan

- i. Subdivision must be in general accordance with the Aokautere Structure Plan.
- ii. The roading network identified on the Aokautere Structure Plan must be provided.
- iii. The design principles contained within Policy 3.7 must be implemented through the subdivision and development
- iv. Any subdivision must be 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 platforms, services, and access ways. The plan must address:
  - The management of archaeological discoveries, including new 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.

#### 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**

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, 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 Aokautere Structure Plan**

- i. How the subdivision is in general accordance with the Aokautere Structure Plan.
- ii. How 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 the proposal incorporates the design principles outlined in Policy 3.7.
- iv. Whether all operational transport infrastructure necessary for the subdivision will be constructed prior to development.
- v. How the proposed stormwater management system ensures there is no increase in stormwater effects on surrounding areas.
- vi. How the subdivision recognises and protects the gully network, wetlands, significant natural areas and habitats of local significance.
- vii. How the development manages adverse effects associated with geotechnical constraints and natural hazards within the surrounding area so that there are no new or exacerbated hazards.

**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 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 Council's 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.

**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, 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 5000m<sup>2</sup>.

### **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:

### **Assessment Criteria**

- 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 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 Subdivision in the Aokautere Rural-Residential Area (R7.15.2.1 (f))** is a Non-Complying Activity.
5. Any subdivision that contains a lot below 5000m<sup>2</sup>.

#### **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 200m<sup>2</sup> 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**

1. 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**



- i. No subdivision application under R7.16.2.3 is required to be publicly notified.
- ii. 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:**

- a. The subdivision complies with the Performance Standards for Controlled Activity subdivisions of the relevant zone; and
- b. 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:

- a. The location and design of lots.
- b. The effects of the proposed subdivision on the heritage values of the listed building, object or site.
- c. 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**

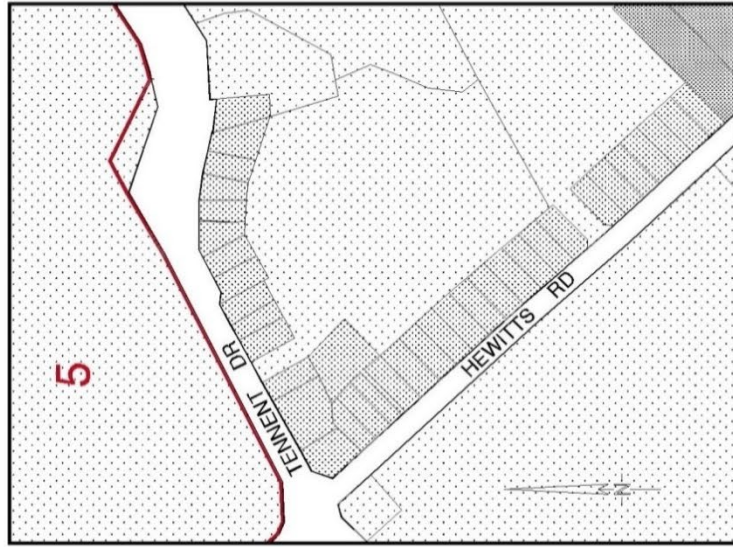
##### **Notification**

For the purposes of notification, Transpower New Zealand Ltd shall be an affected person.

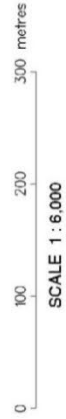
# Map 7.1 Petersens Rd, Aokautere Village and Hewitts Road Residential Area

Map 7.1

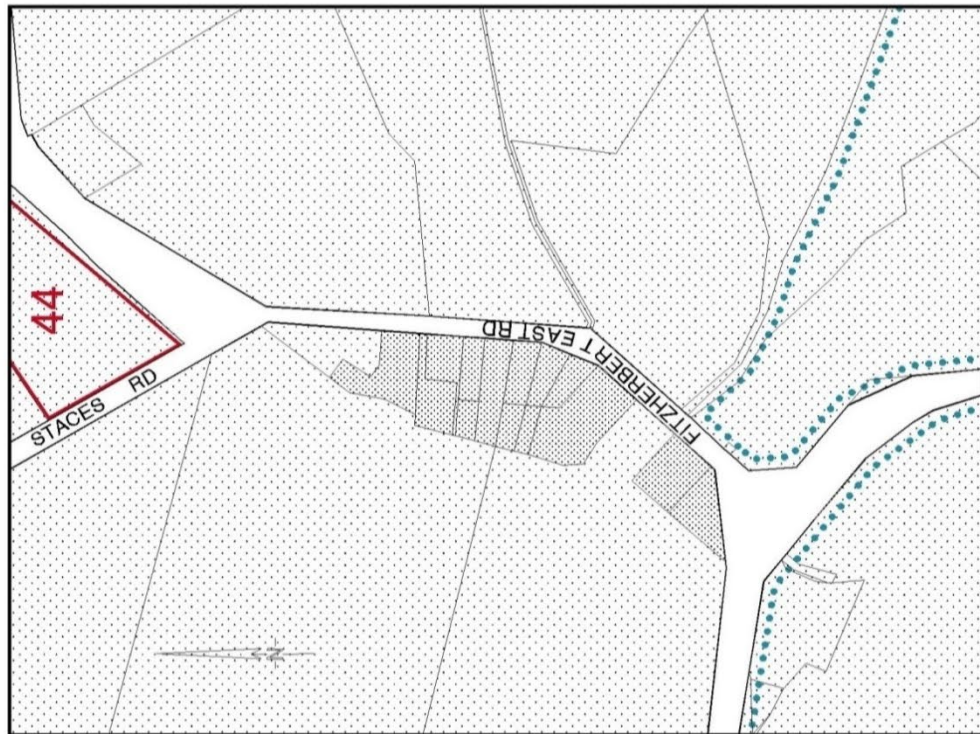
## PETERSENS ROAD, AOKAUTERE VILLAGE AND HEWITTS ROAD RESIDENTIAL AREAS



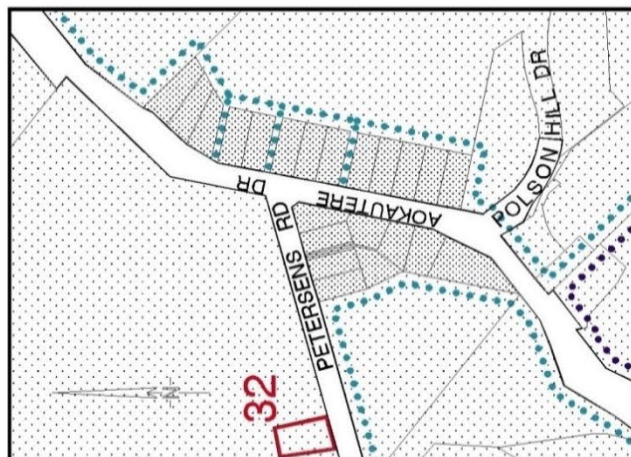
Hewitts Road



Map Production: **LandInfo**  
City Enterprises  
P.N.C.C. Dec 2000



Aokautere Village



Petersens Road

Land zoned Residential and where subdivision is a non-complying activity



Rural



Recreation

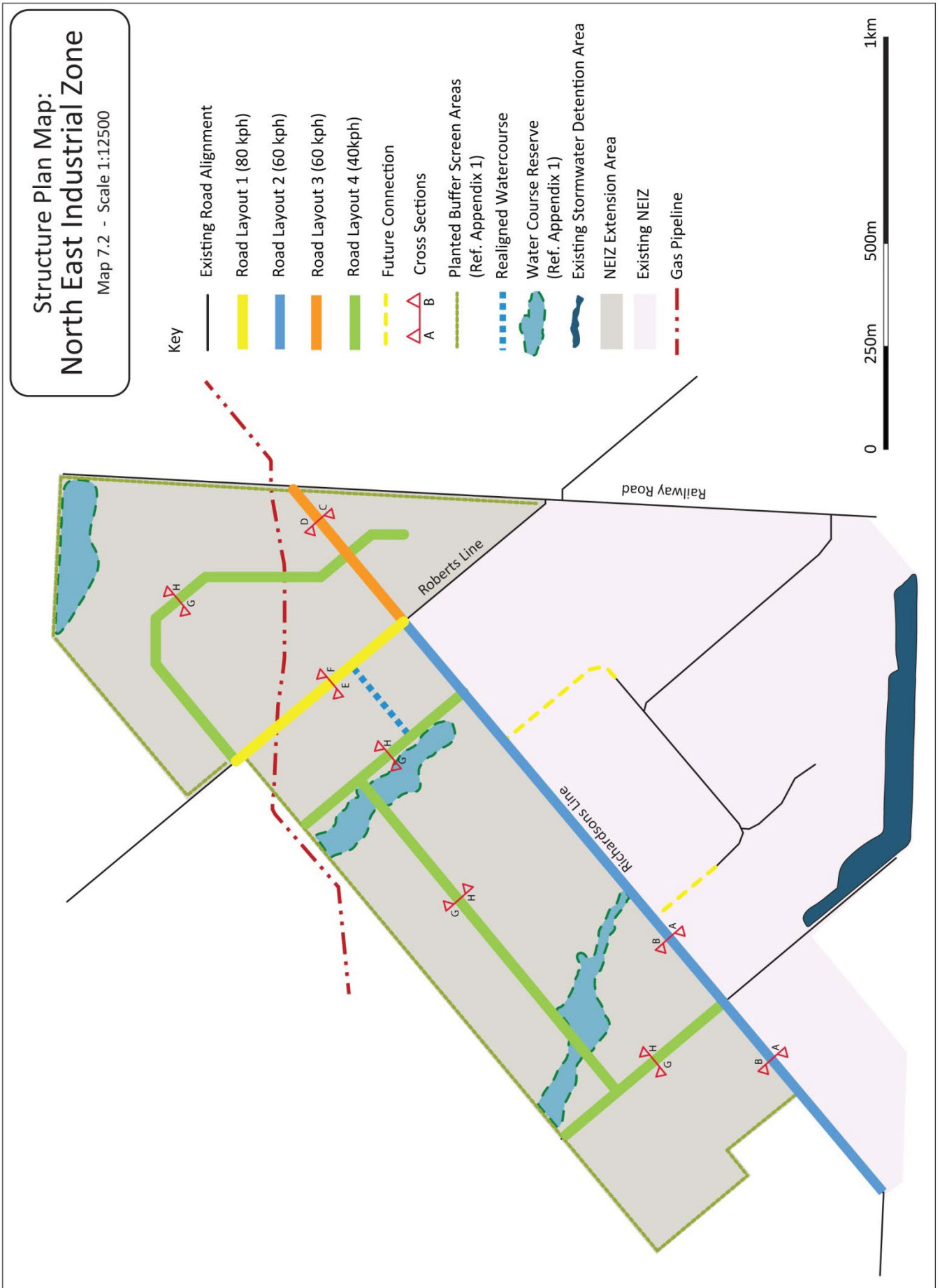


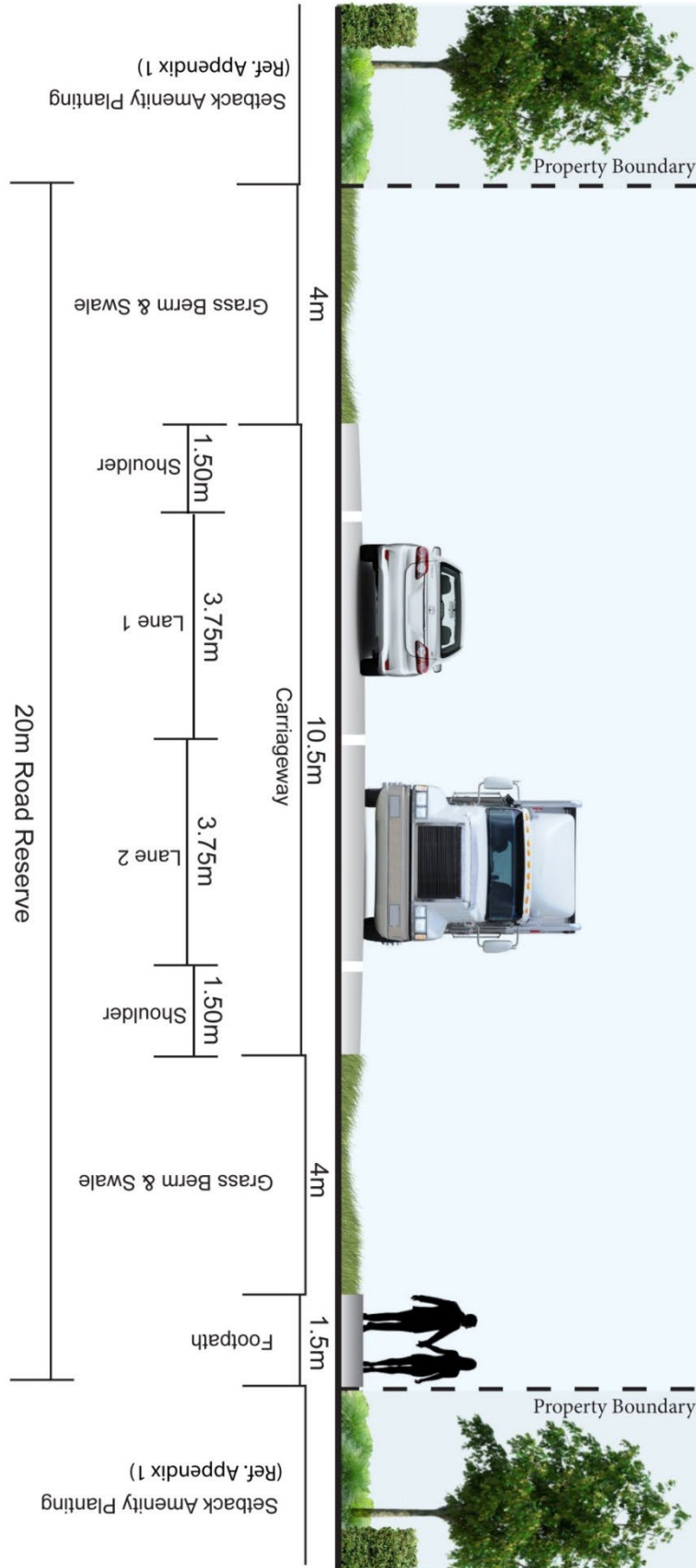
Public Works





### Map 7.2 North East Industrial Zone



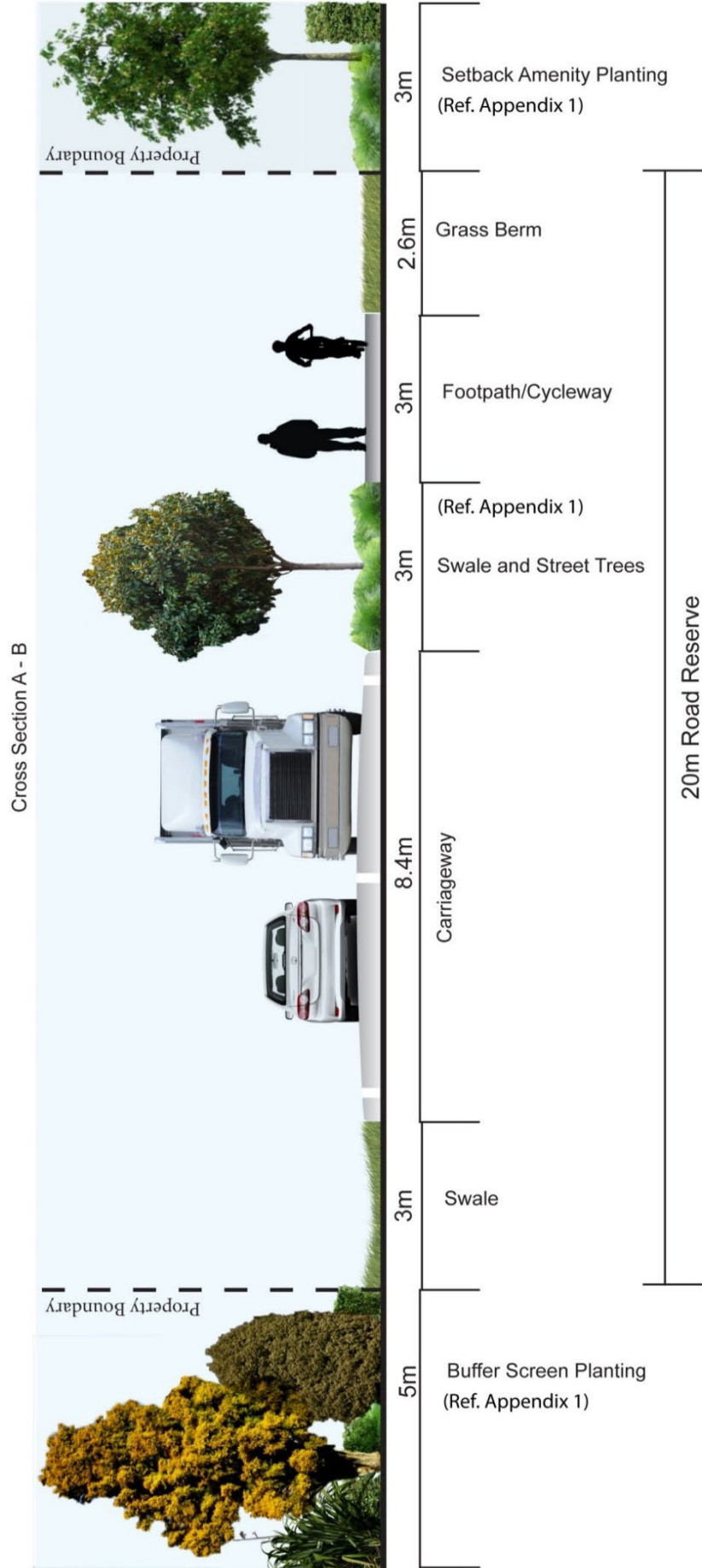


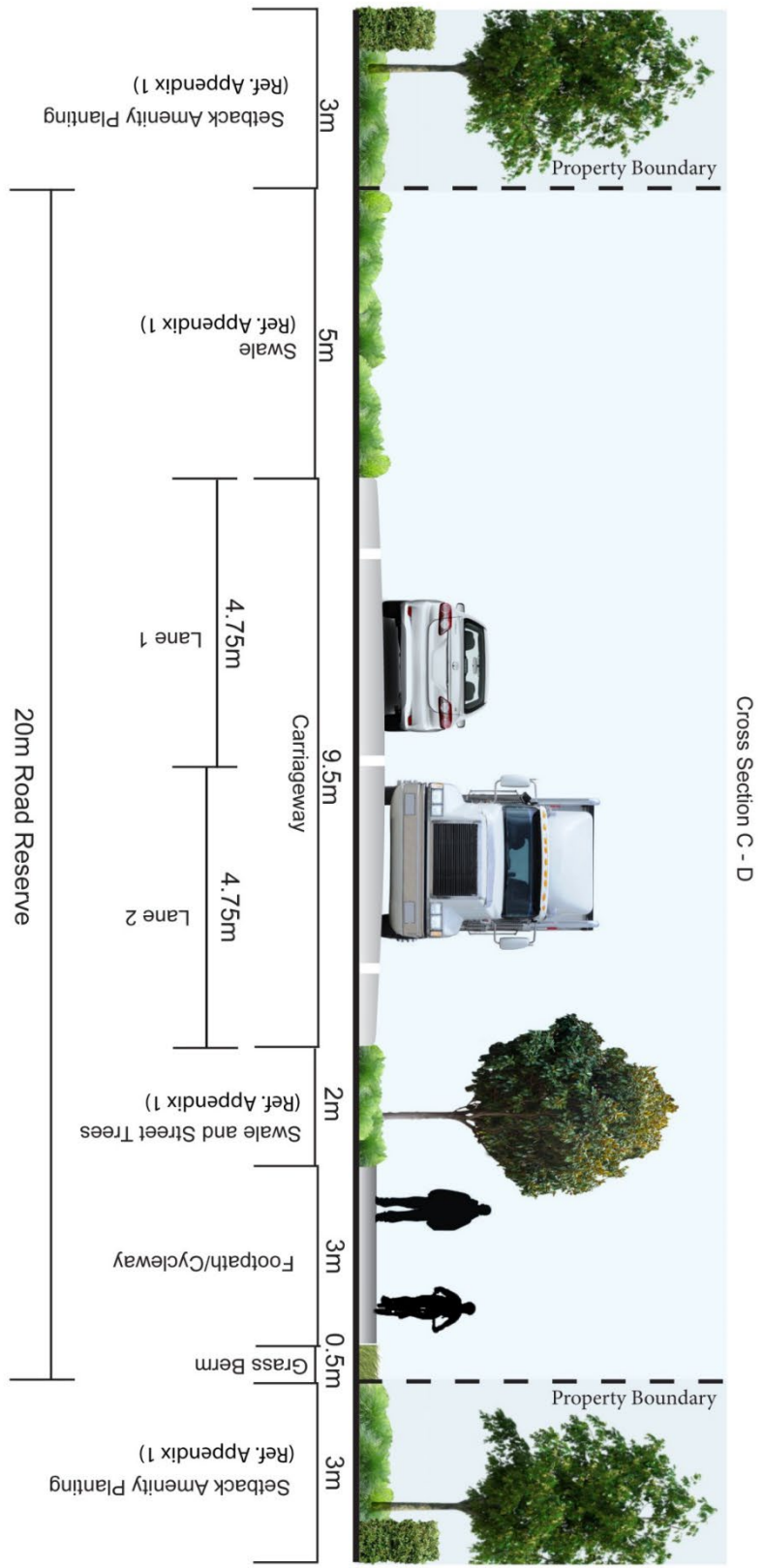
Cross Section E - F

Structure Plan Cross Section:  
Road Layout 1

**STRUCTURE PLAN CROSS SECTION: ROAD LAYOUT 1**

Structure Plan Cross Section:  
Road Layout 2





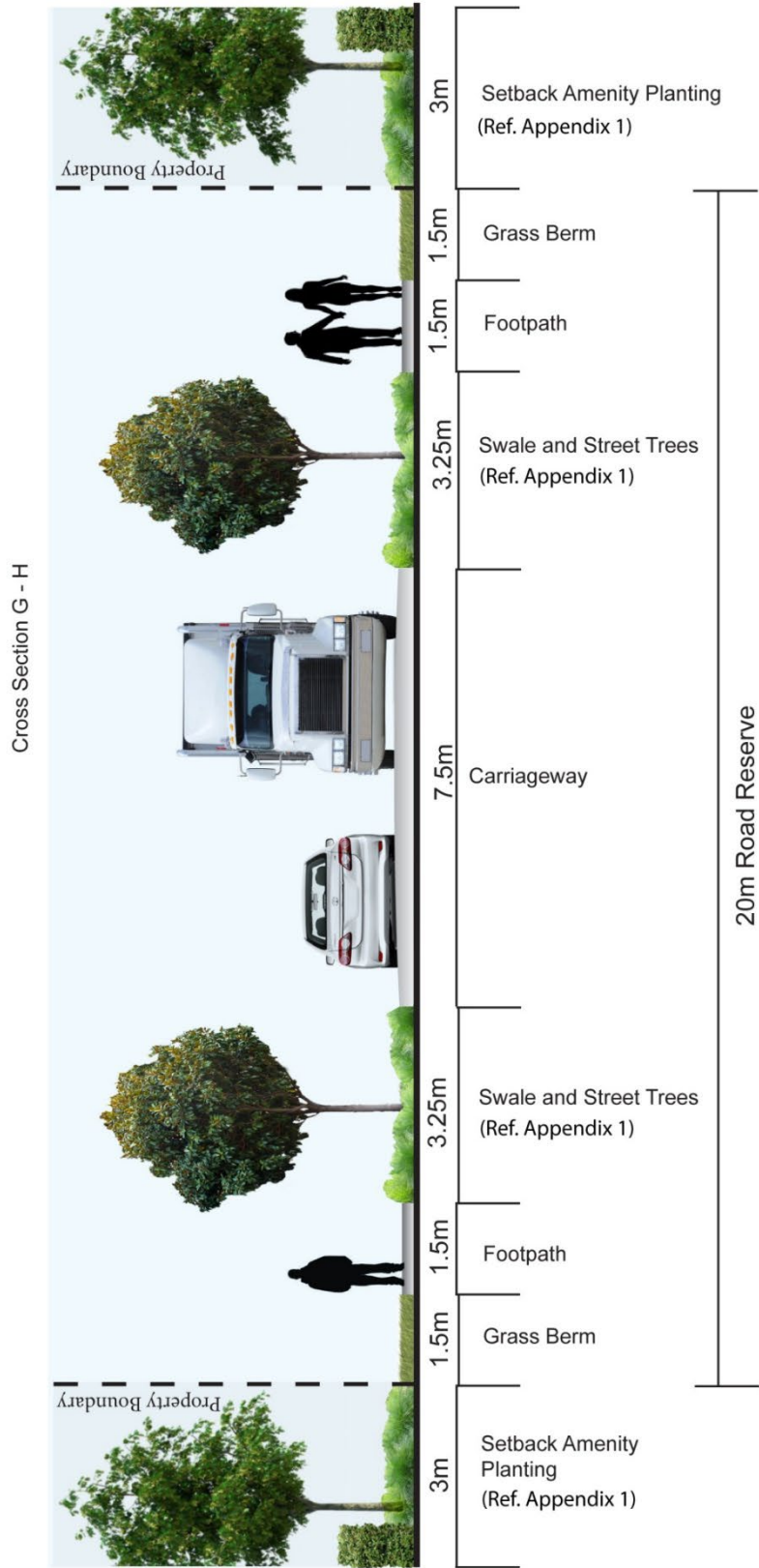
Structure Plan Cross Section:  
Road Layout 3

**Structure Plan Cross Section: Road Layout 3**

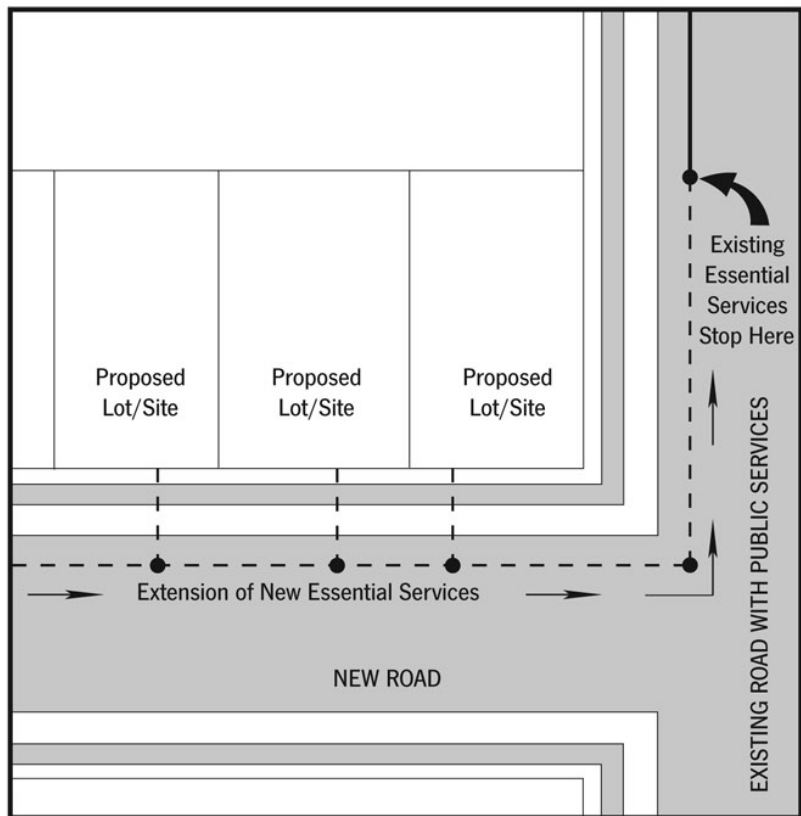
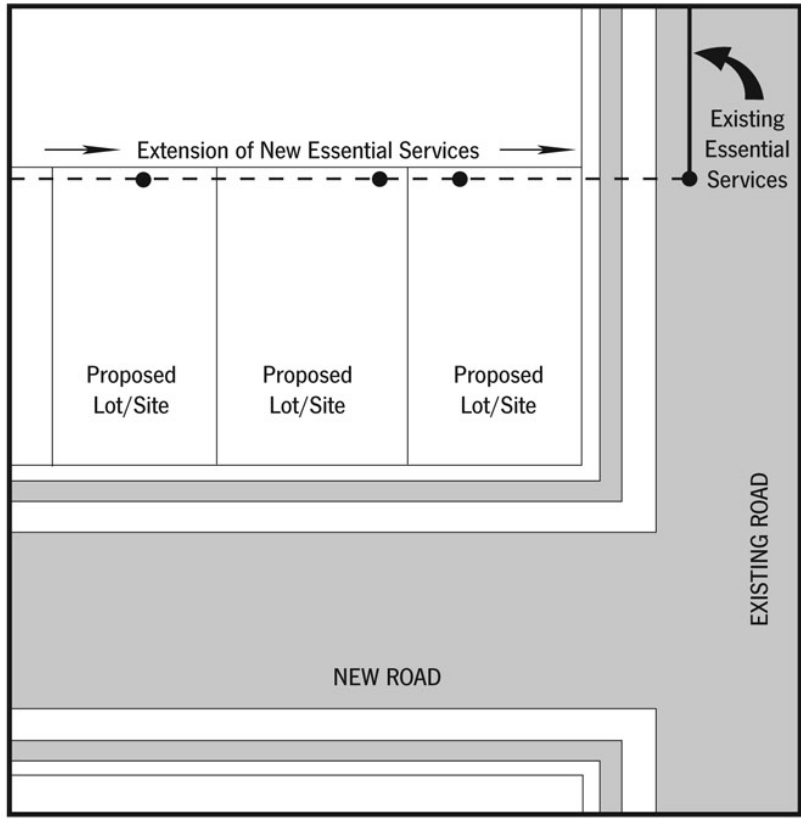


## Structure Plan Cross Section: Road Layout 4

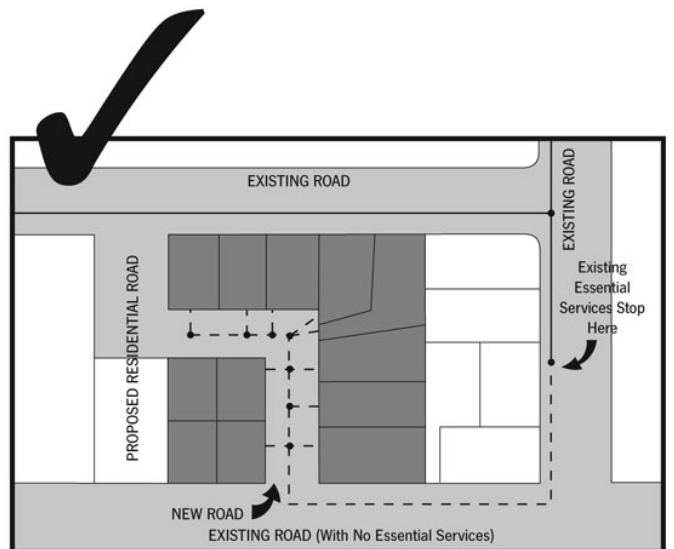
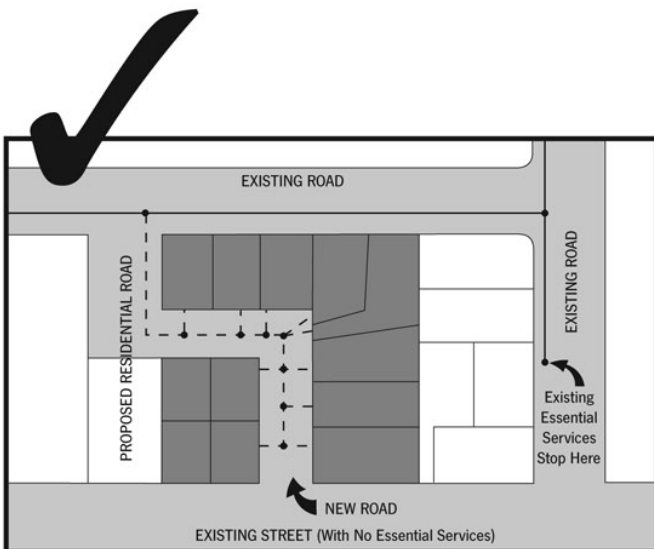
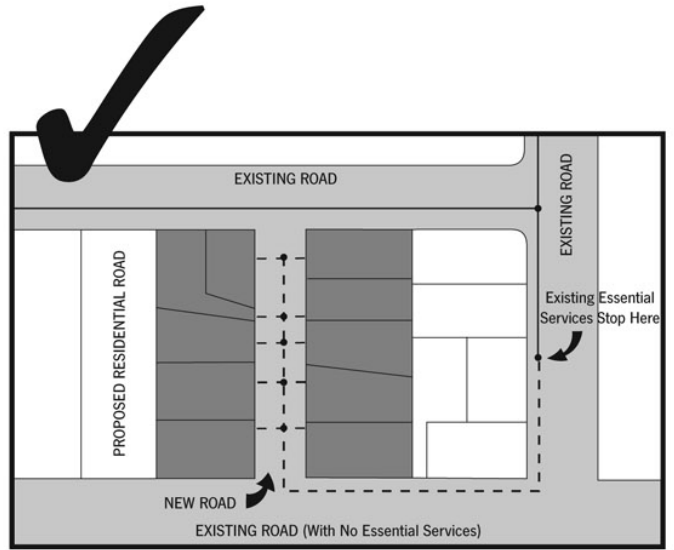
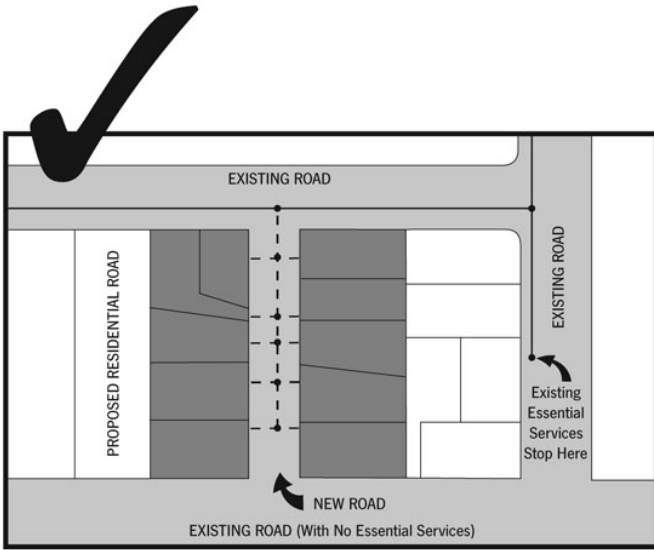
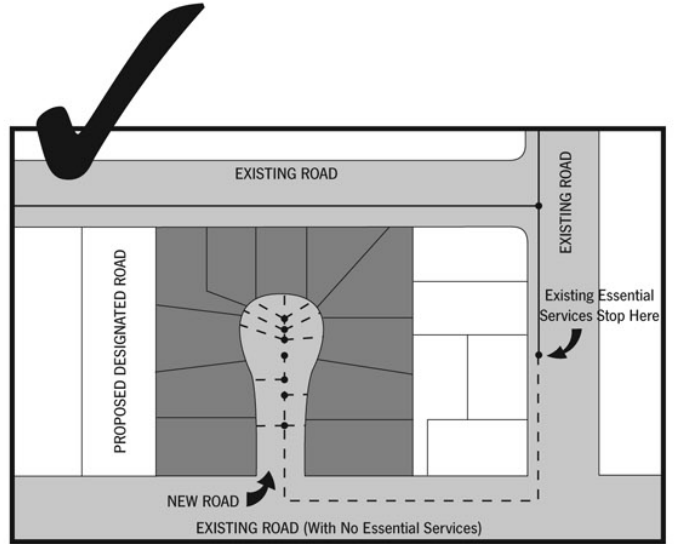
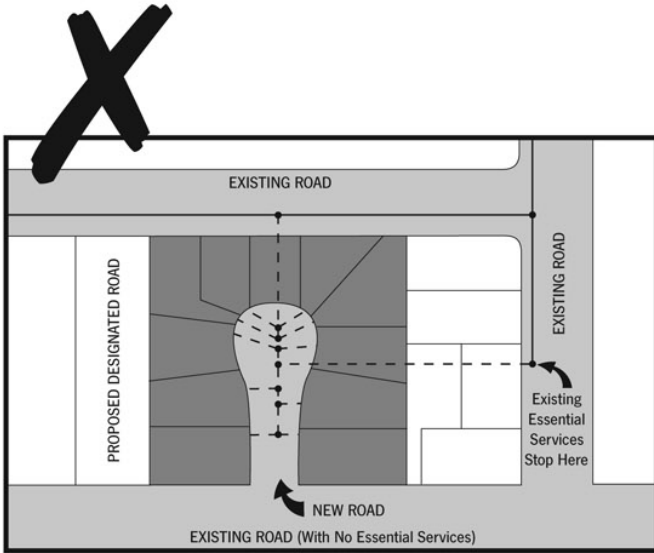
Structure Plan Cross Section:  
Road Layout 4

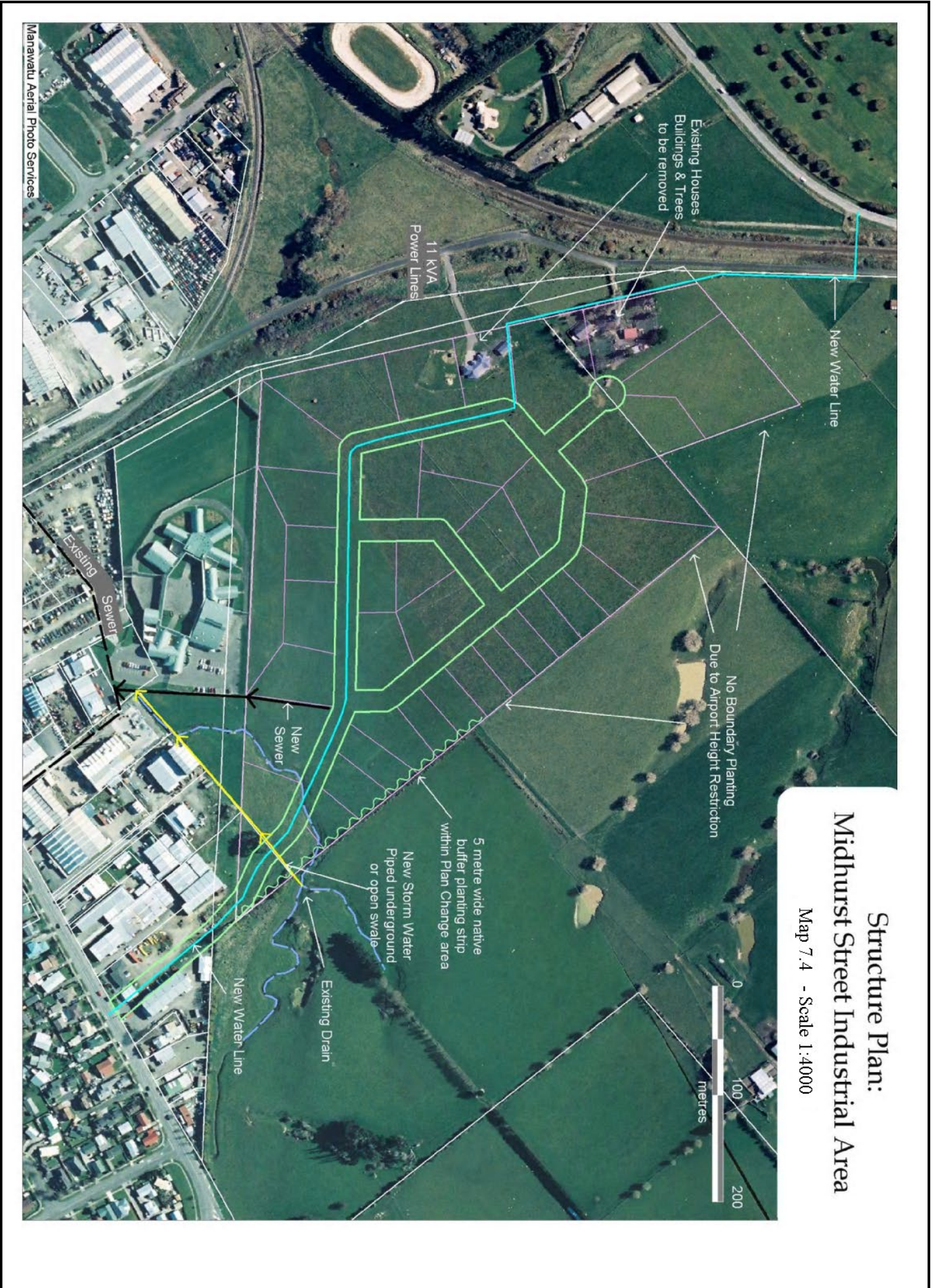


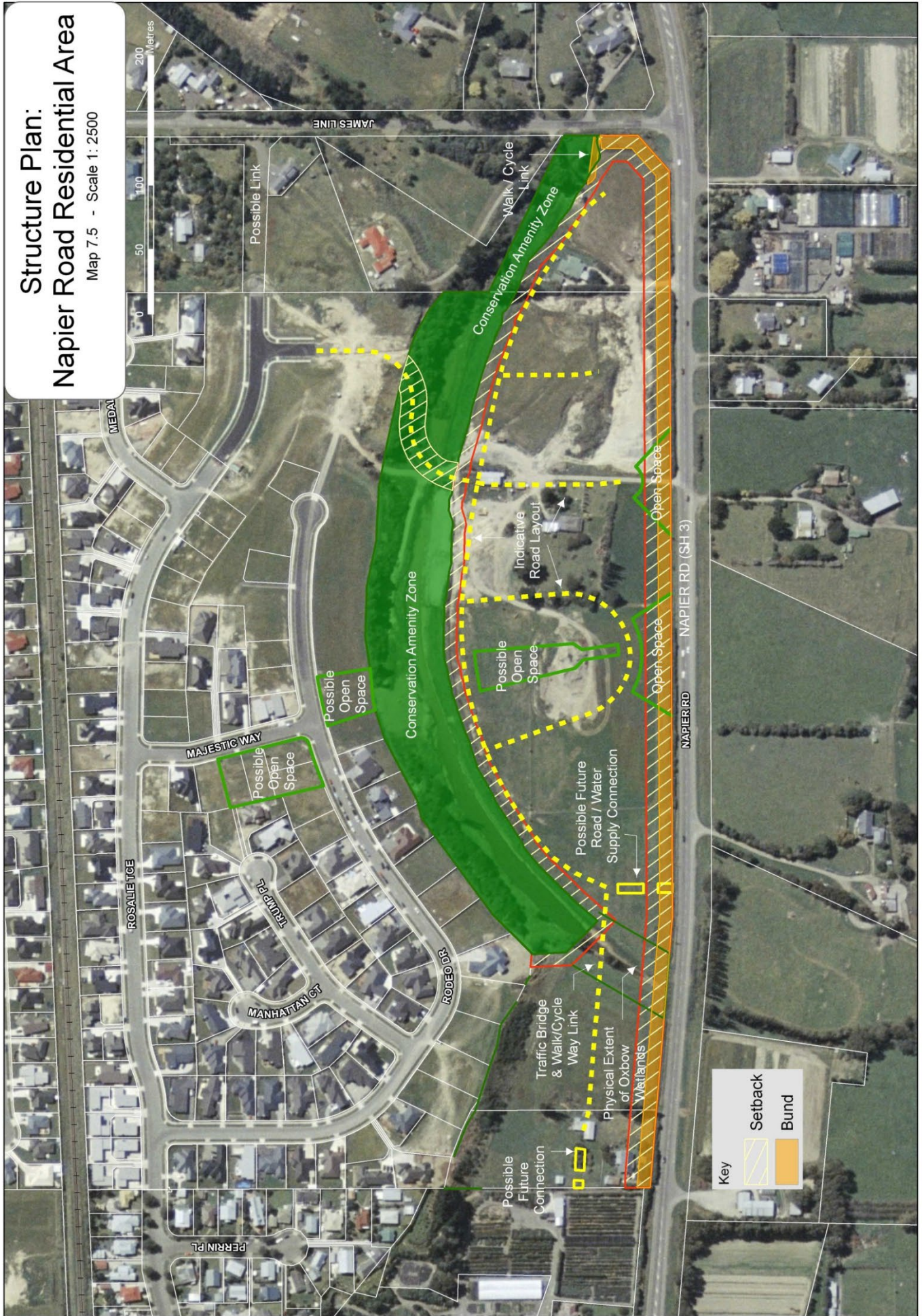
### Diagram 7.3A Example of Public Service Corridor Provision



### Diagram 7.3B Example of Public Service Corridor Provision



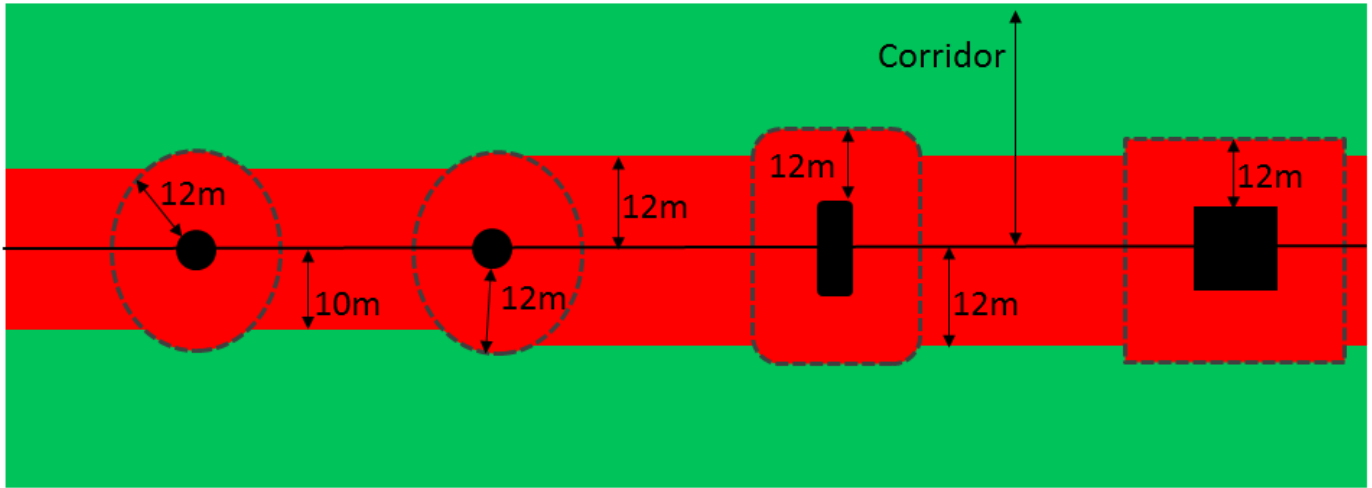




**Structure Plan:  
Napier Road Residential Area**  
Map 7.5 - Scale 1: 2500

Key	
	Setback
	Bund

## Explanatory Diagram National Grid

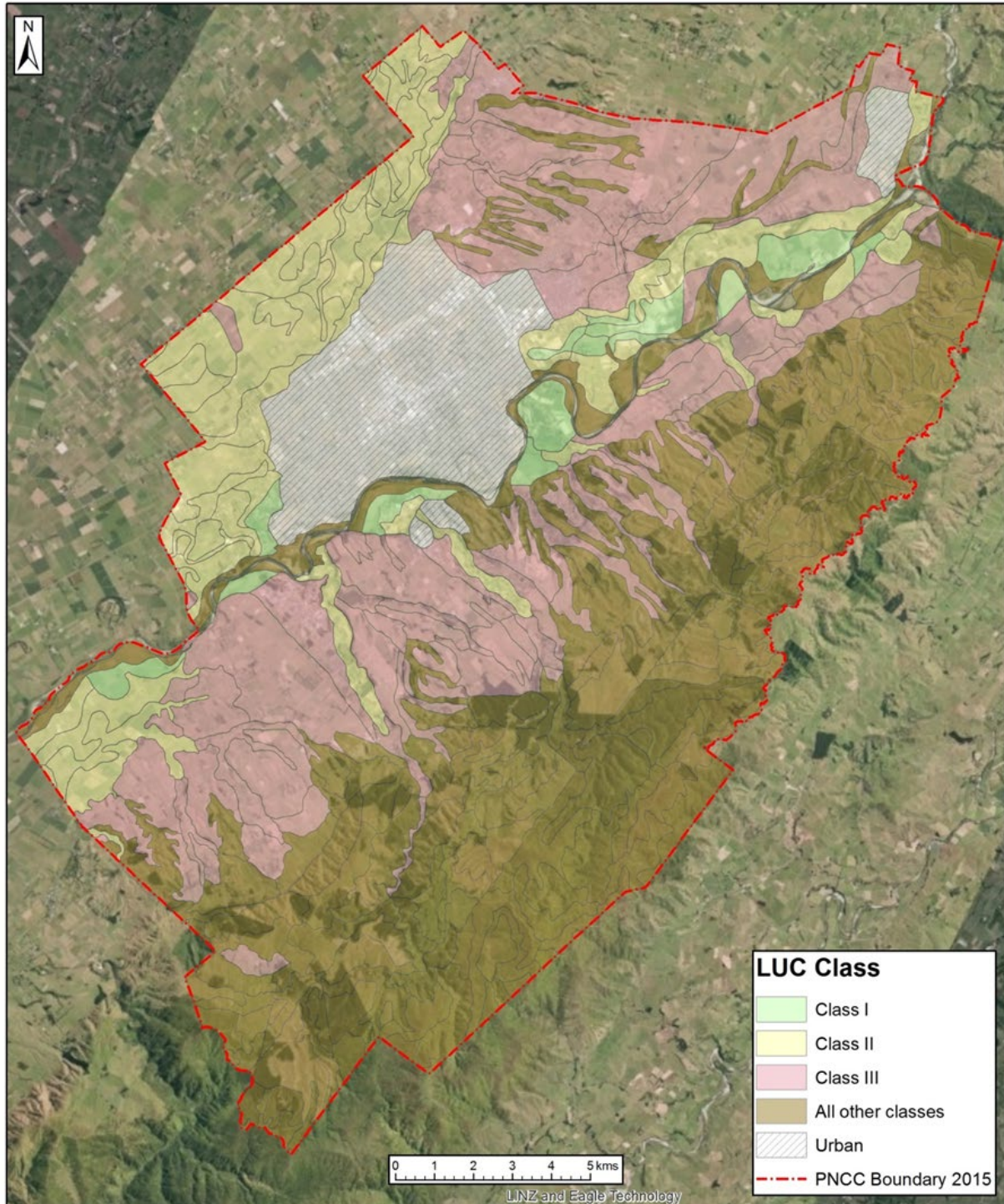


### LEGEND

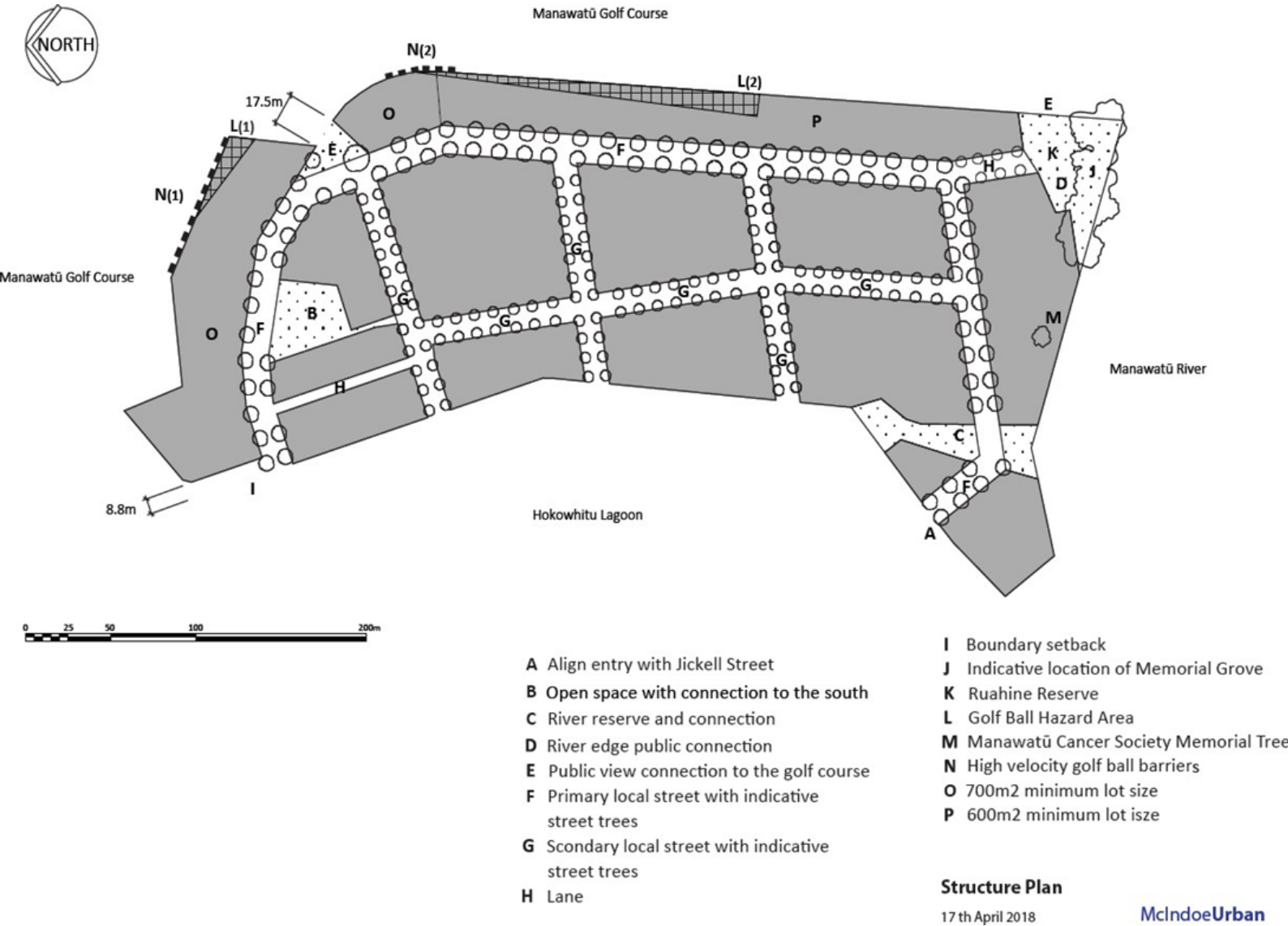
Not to scale

- National Grid Yard
- Centreline
- Single Pole
- Pi Pole
- Tower

## Map 7.6 Spatial Extent of Class 1, 2 and 3 Soils in Palmerston North

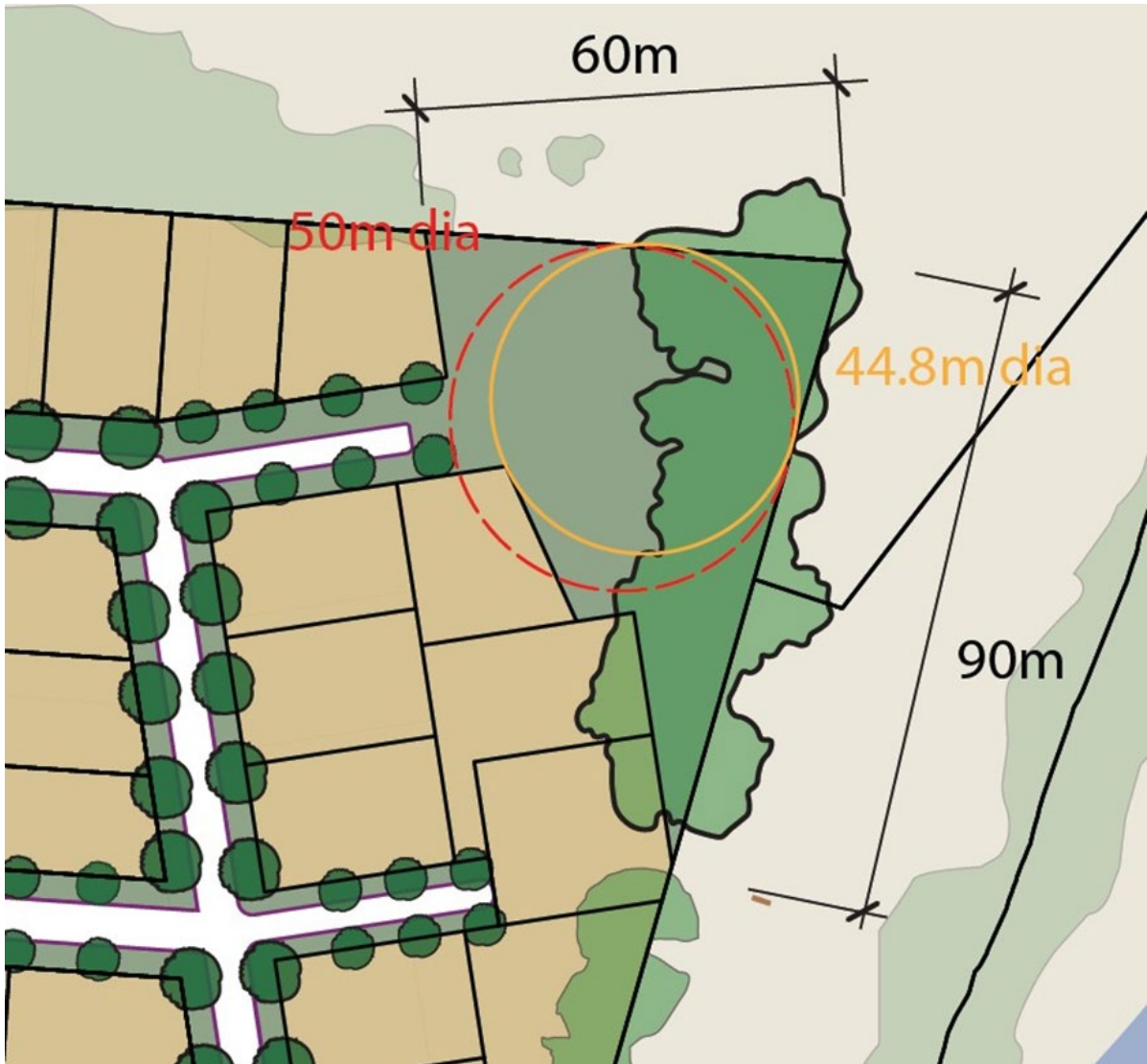


## Map 7.7.2.6 Hokowhitu Lagoon Residential Area Structure Plan





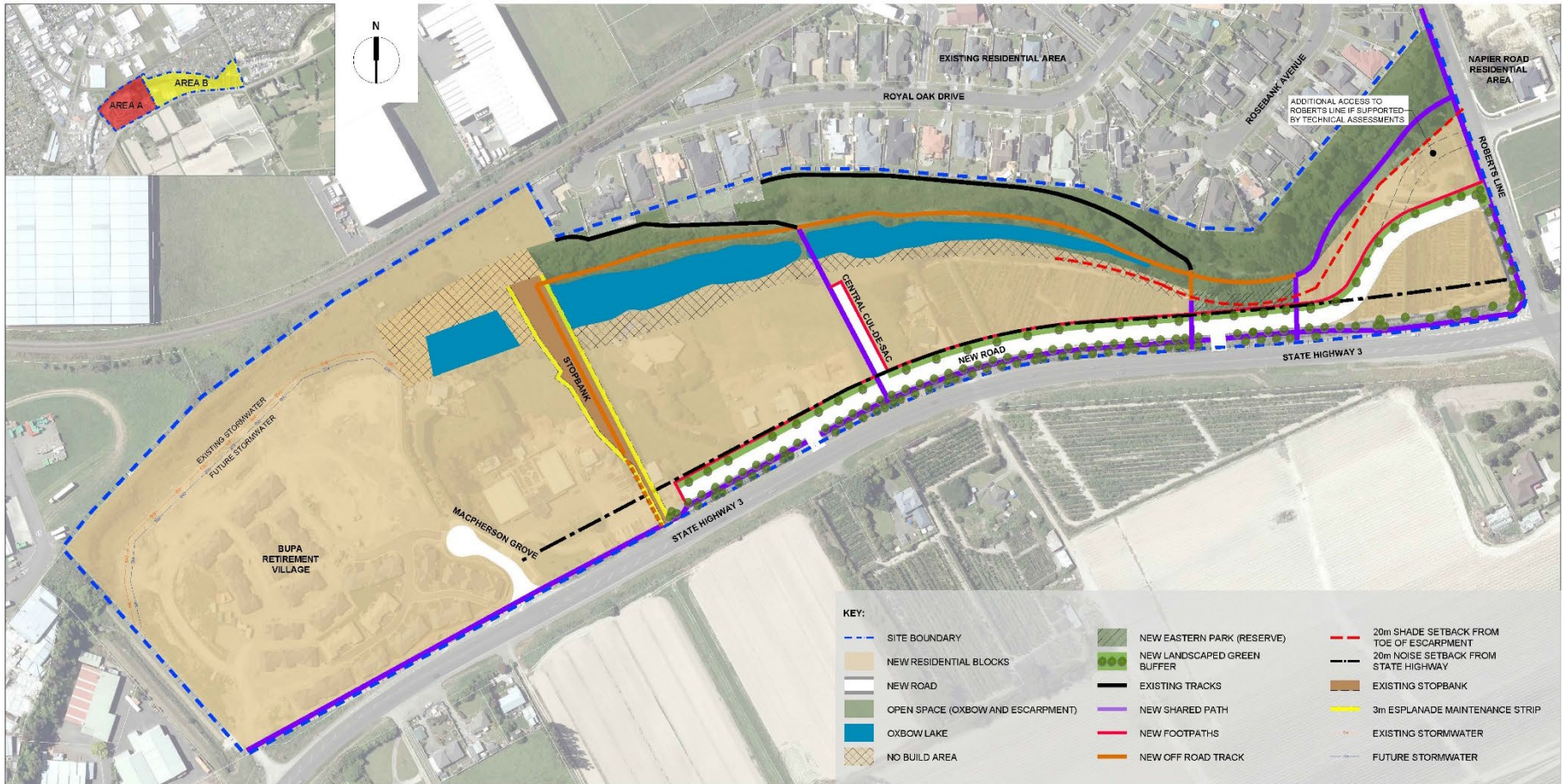
### Map 7.7.2.7 Ruahine Reserve Dimension



### 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

