Palmerston North City District Plan

Proposed Plan Change D:

Pressure Sewer Systems

July 2019
Section 32 Evaluation

PROPOSED PLAN CHANGE D: PRESSURE SEWER SYSTEMS

Prepared for Palmerston North City Council

5 July 2019
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1 Introduction

This report has been prepared by Perception Planning Ltd on behalf of Palmerston North City Council (the Council or PNCC). The report provides a summary of the evaluation undertaken in accordance with Section 32 of the Resource Management Act 1991 (RMA or the Act) in relation to Proposed Plan Change D: Pressure Sewer Systems to the Operative Palmerston North City District Plan (the District Plan or the Plan). This report should be read in conjunction with the proposed amendments to the District plan, which are included in Appendix 1 of this report.

1.1 List of Abbreviations

The following abbreviations have been used in this report:

- PPC D - Proposed Plan Change D: Pressure Sewer Systems
- PSS - Pressure Sewer Systems
- NPSUDC - National Policy Statement on Urban Development Capacity 2016
- NEIZ - North East Industrial Zone
- RMA or the Act - Resource Management Act

1.2 What is the Issue?

Pressure sewer systems (PSS) are alternatives to conventional gravity sewer systems and have advantages over a conventional gravity sewer system in areas with geotechnical and technical constraints. For example, pressure sewer systems:

- Allow for a controlled transfer of sewage from homes and businesses to a central treatment facility;
- Can be used in difficult or challenging terrain and in poor ground conditions because the pipe does not need to be buried deeply; and
- Can have a relatively small construction footprint compared to installation of conventional gravity systems.

PSS are rapidly expanding within New Zealand with significant numbers now installed in over 20 Territorial Authority areas with thousands of systems installed in Rotorua Lakes, Christchurch, Bay of Plenty and Auckland. They are increasingly being used to service low lying coastal communities where traditional septic systems are resulting in significant negative environmental effects and where traditional gravity systems are difficult and expensive to construct.¹

Palmerston North City Council seeks to amend, via Proposed Plan Change D (PPC D) the District Plan to require the installation and use of pressure sewerage systems in identified Pressure Sewer Areas in City. PPC D will also allow for the installation of Pressure Sewer Systems in other urban areas. Pressure Sewer Areas will overlay growth areas identified by the Council. These areas have already been identified as Pressure Sewer Areas in the Council-wide Pressure Sewer System Policy, which was adopted by Council in 2018. The Pressure Sewer Areas are in the urban areas.

¹ Memorandum prepared by Transport and Infrastructure Manager Robert van Bentum dated 4 September 2018 to Planning and Strategy Committee, 1 October 2018.
The need for appropriate infrastructure to serve development and standards around how that infrastructure is provided and delivered is a matter provided for in the Operative Plan. However, the provisions currently provide for wastewater servicing in terms that are relatively general and presume traditional connection to the reticulated sewage network. The generality of the provisions has provided Council staff with the discretion to encourage and secure PSS infrastructure in development situations. However, in some situations, Council’s discretion has been subject to challenge which has resulted in inefficient processing of applications, increased costs for both applicant and Council, and the risk of environmental outcomes that are inconsistent with the Council’s overall policy concerning PSS.

The largest current example of an installed pressure sewer network is the Kingsdale Park Development. Once fully developed, approximately 136 individual pump stations will pump sewage to a common rising main discharging to a manhole on the upstream end of the Aokautere gravity network. Installation on this development, as well as several other smaller installations, has been managed and consented without any Council specific design standards or regulations. With no district plan policies or performance standards in place, Council officers have encountered difficulties in ensuring minimum standards for performance and installation of Pressure Sewer Systems are achieved. The Council is of the view that the specific issues are unlikely to have arisen had there been an effective District Plan policy and regulatory framework for PSS in place.2

As part of the Council’s strategic planning for wastewater servicing in the City, several growth areas have been identified which could benefit from PSS3:

<table>
<thead>
<tr>
<th>Advantages of PSS</th>
<th>City West Growth Area</th>
<th>North Eastern Industrial Zone</th>
<th>Napier Road</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mitigation of damage risk from liquefaction due to the pipe network’s resilience and resistance</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reduced cost compared to conventional gravity sewer and pump lift stations due to smaller pipe sizes, shallow installation depth and absence of grade dependency</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Elimination of the requirement for multiple network sewer pump stations</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Provision of distributed storage to provide for system outage and peak flow attenuation</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2 Memorandum prepared by Transport and Infrastructure Manager Robert van Bentum dated 4 September 2018 to Planning and Strategy Committee, 1 October 2018, paragraph 2.4.

3 Information adapted from Memorandum prepared by Transport and Infrastructure Manager Robert van Bentum dated 4 September 2018 to Planning and Strategy Committee, 1 October 2018, paragraph 2.6.
Advantages of PSS

<table>
<thead>
<tr>
<th>Advantage</th>
<th>City West Growth Area</th>
<th>North Eastern Industrial Zone</th>
<th>Napier Road</th>
</tr>
</thead>
<tbody>
<tr>
<td>Significantly reduced wet weather flows due to low levels of stormwater inflow and infiltration</td>
<td>Green</td>
<td></td>
<td>Green</td>
</tr>
<tr>
<td>Ability to optimise design and match lower sewage volumes and flows</td>
<td>Green</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Increased location flexibility for property pump stations within large logistics and warehousing sites</td>
<td>Green</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Deferral of downstream network capacity upgrades due to lower peak flows</td>
<td>Green</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Conserves downstream network capacity, due to low peak flows</td>
<td>Green</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Avoids one additional network pump station for less than 50 properties</td>
<td>Green</td>
<td></td>
<td>Green</td>
</tr>
</tbody>
</table>

Proposed Plan Change D is one component in a package of measures and Council initiatives to support the roll-out of pressure sewer systems in certain areas of the City, which include:

- Development of a Council-wide policy for pressure sewer systems;
- Development of an addendum to the Council’s Engineering Standards for land Development to specifically provide the specific design and performance requirements for pressure sewer systems;
- Changes to the Council’s Three Waters Service Connections Approval System, including expansion of the existing approved contractors’ system for service connections to include approval of contractors for the installation of pressure sewer system components;
- Introduction of a new process for approval of suppliers of pressure sewer systems for Council;
- Development of a homeowner’s guide for property owners and residents of properties that are served by a pressure system;
- Changes to the Wastewater Bylaw; and
- Review of subdivision conditions and consent notices relating to the provision of PSS.

Until the proposed District Plan changes associated with Plan Change D are operative Council officers will continue to utilise the discretion currently allowed by the existing plan and the recently adopted Council Pressure Sewer Policy to ensure that pressure sewers are installed in the identified growth areas. Officers will ensure this occurs by using standard conditions of consent for subdivision that are to be served by PSS, including a consent notice that will detail:
• The requirement for the installation of the on-property equipment and control programming in accordance with the concept design at the time of building consent; and
• The property owner’s on-going obligations in relation to the operation and maintenance of the PSS and equipment.

1.3 What are Pressure Sewer Systems?

In a pressure sewer system, sewage is conveyed under pressure from individual pump stations and pumping units located on the individual private property. The sewage is pumped via individual property sewer laterals to a combined pressure pipe located in the road. This pipe then conveys the sewage to a common discharge point, typically a manhole, on an existing gravity network or a wastewater treatment plant. A schematic diagram of the overall system is shown in Figure 1 below, along with a diagram of the typical extent of infrastructure located on private property.

Pressure sewer systems generally include the following components:

1. Grinder pumping unit within a chamber, both specifically designed for pressure sewer applications, installed on each property.
2. Property discharge line that connects the pumping unit to the boundary kit.
3. Control/alarm panel that controls the operation of the pump unit containing alarm components, electrical connection to the property and associated circuit breaker.
4. Remote data connection, such as telemetry, if required.
5. Boundary kits for each pumping unit located at the legal boundary for each property that provide a means to isolate the pressure sewer network from a property discharge line and pumping unit.
6. A specifically designed pressure sewer pipe network located in public corridors consisting of small bore pressure mains, as well as, isolation valves, flushing pits and air release valves where required.
1.4 The Purpose of Proposed Plan Change D

The purpose of Proposed Plan Change D is to review the Plan’s issues, objectives, policies, rules, assessment criteria to:

1. Clearly signal to the development community that pressure sewer systems (PSS) are the only means of sewage disposal in identified pressure sewer areas of the City;
2. Allow for pressure sewer systems where it is considered appropriate outside of the identified pressure sewer areas;
3. Ensure that Plan provisions are sufficiently clear and direct to enable decision-makers assessing and determining applications for subdivision to require PSS in identified urban growth areas of the City; and
4. Ensure provisions clearly articulate Council’s expectations in relation to PSS to facilitate consultation and discussions between developers and Council at the subdivision design and pre-application stage.

The changes will:

- Allow more specifically for the installation of PSS;
- Specify the areas Council requires PSS to be installed;
- Ensure that traditional gravity alternatives in identified pressure sewer areas are not provided for ‘as of right’; and
- Ensure the need or preference for Pressure Sewer Systems in the urban environment is achieved at the time of subdivision and ahead of development.
2 The Current District Plan Framework

2.1 Structure of the District Plan

The provision of essential services, such as wastewater and stormwater reticulation, is provided for in Section 7 Subdivision of the Plan. Section 7 is organised to set out the subdivision rules and standards for each environmental zone of the Plan, e.g. Residential, Industrial, Business Zones, and so on. As explained in the Introduction section of Section 7, 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. This includes managing the effects of additional demands on the capacity of essential services (network infrastructure) and existing private services. The use of the subdivided land must comply with the relevant controls for the zone in which the land is situated. The management of essential services related to subdivision is central to Section 7’s policy direction and performance standards related to subdivision rules for each of the City’s Zones.

Land Use Zones, for example Section 10 Residential and Section 11 Business Zones, set out the rules and performance standards for land use. Generally, these do not refer to essential services or set out performance standards for them.

2.2 Operative City View Objectives

The relevant City View objectives are as follows:

1. Planning for residential, industrial, commercial and rural-residential growth sustains a compact, orderly and connected urban form which avoids the adverse environmental effects of uncontained urban expansion into the rural zone.
2. The provision of infrastructure, particularly within identified growth areas, shall be efficient, timely, environmentally sensitive and economically sustainable.
3. The integrated and efficient provision of, and access to, infrastructure, network utilities and local services is facilitated for all residents.

Pressure Sewer Areas are limited to urban areas of the City, and PPC D provides for Pressure Sewer Systems in other parts of the urban environment provided certain information requirements can be met. Pressure Sewer Systems are not provided for in the Rural Zone. This approach is consistent with the following City View Objectives:

7. The infrastructural demands of rural subdivision and development are minimised.
8. The distinctive rural and urban character of the City is recognised and a clear differentiation is provided regarding subdivision, development and servicing expectations within rural and urban areas.

2.3 Operative Definitions

The term ‘essential services’ is used in the operative Plan to mean:

- the Palmerston North City Council reticulated sewage and reticulated water supply systems
- stormwater systems
- electrical power and telecommunication networks.

As described above, the management of ‘essential services’ is achieved through rules and performance standards in the Subdivision section of the Plan.
2.4 Operative Issues

The need to ensure development in the City is supported by services and infrastructure that are appropriately designed and located is a consistent issue identified throughout the Operative Plan.

The sustainable management of infrastructure is identified as general resource management issue for the City.\(^4\)

The Subdivision section of the Plan\(^5\) (Section 7) highlights that the effects of subdivision, which include:

- additional demands on the capacity of essential services (network infrastructure) and existing private services; and
- effects on the safe and efficient functioning of network utilities and infrastructure, in particular infrastructure and physical resources of regional or national importance.

Resource management issue 7 of this section of the Plan is most relevant to the matter of PSS and states:

> 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.

“The integration of land use and infrastructure planning and the effects of unsustainable greenfield expansion” is identified as a resource management issue in the Residential Zone (Section 10).

In the North East Industrial Zone (NEIZ, section 12A) identifies the following resource management issue:

> The need for new developments within the North East Industrial Zone to be in accordance with any relevant structure plan to ensure achievement of the desired environmental outcomes and the integrated provision of infrastructure at the earliest stage of development.

2.5 Operative Objectives and Policies

City View Objectives

Section 2.5 of the Plan sets out the City View Objectives. Of particular relevance to the topic of PSS are:

**Objective 2:** the provision of infrastructure, particularly within identified growth areas, shall be efficient, timely, environmentally sensitive and economically sustainable.

**Objective 3:** the integrated and efficient provision of, and access to, infrastructure, network utilities and local services is facilitated for all residents.

**Objective 4:** transparent and equitable funding mechanisms are in place to support the provision of infrastructure required to service growth.

**Objective 9:** subdivisions, building and infrastructure are designed and constructed to promote a coordinated, healthy and safe environment.

**Objective 23:** Infrastructure operates in a safe and efficient manner, and the effects of activities which could impact on the safe and efficient operation of this infrastructure are avoided, remedied or mitigated.

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\(^4\) Section 2.3 of the Operative Plan, issue 26.

\(^5\) As amended by Plan Change 22D, heard in October 2018 and decisions issued 2019.
Outcomes for infrastructure provision are also identified in objectives in the individual zone sections of the Plan, along with policies to achieve them. These include:

**Subdivision (Section 7)**

This section includes general objectives and policies for subdivision across the City, as well as subdivision in specific locations, such as the Napier Road Industrial Precinct and North East Industrial Zone.

**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.

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

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

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.

**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.

**Policy 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 where feasible; and
   - does not unduly restrict the location of any future buildings.
4. The structure of the sewerage network:
   - has a design life of at least 80 years;
   - is constructed from materials suitable for the intended use;
   - ensures safety in operation, avoiding the likelihood of leakage and infiltration and the penetration of roots; and
   - avoids the likelihood of blockage.
5. All allotments in urban areas are to be provided with a connection to the City Council reticulated sewage system.
6. In rural areas including the areas identified on the Planning Maps for rural residential subdivision, sewage will be disposed of on-site in accordance with Clause G13 of the Building Code as set out in the First Schedule to the Building Regulations 1992 and the requirements of the One Plan for on-site domestic
wastewater treatment systems, in particular the Manual for On-site Wastewater Systems Design and Management (Manawatu-Wanganui Regional Council, 2010).

And the size, shape and arrangement of allotments:

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

**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 [...] 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

**Policy 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. 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.
2. 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 comprise the efficient functioning of the city infrastructure networks.

**Policy 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:

1. 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;

**Policy 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:

1. 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));

**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 of the Zone as a whole.

**Policy 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.
**Policy 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.

**Residential Zone (Section 10)**

**Objective 1:** To enable sustainable use and development of the Residential Zone to provide for the City’s current and future housing needs.

**Policy 1.4:** To promote the efficient use of the urban infrastructure and other physical resources.

**Policy 1.5:** To ensure network infrastructure and services are available to support residential development and intensification.

**North East Industrial Zone (Section 12A)**

**Objective 1:** To meet the City’s needs for land for industrial growth.

**Policy 1.1:** To provide an area of land zoned primarily for industrial purposes in the location shown as the North East Industrial Zone.

**Objective 2:** To enable industrial use and development of the Zone taking into account topography, any existing site features, natural hazards, the servicing needs of future industry and the ability for people and vehicles to move safely and efficiently through the area.

**Policy 2.1:** To ensure that the design, layout and servicing of the Existing Zone is, as far as reasonably practicable, in accordance with key design principles outlined in the Design Guide.

**Objective 3:** To promote the efficient development and use of land and associated infrastructure within the Zoned area.

**Policy 3.1:** To enable the establishment and development of industry within the NEIZ.

**Policy 3.5:** To provide for development of the North East Industrial Zone Extension Area in an integrated manner with the existing North East Industrial Zone without compromising other goals of the Plan for surrounding land.

**Policy 3.6:** To ensure in the North East Industrial Zone Extension Area design of the servicing required for the area, including roading and hazard management, is provided at the earliest stage of development.

### 2.6 Operative Rules and Other Methods

#### 2.6.1 Subdivision

The following essential services are provided for in the controlled performance standards for subdivision activities in Section 7 Subdivision:

1. All essential services must be available for connection within 30 metres of the nearest point of the land being subdivided.
2. All new lots must have sewer, stormwater and water supply services that are connected to essential services
3. 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.

Generally speaking, subdivision that does not comply with the essential services performance standards (and is not a non-complying activity) 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 RMA.

In this circumstance, a restricted discretionary activity subdivision must still comply with item (i) listed above.

Any subdivision in the NEIZ Extension Area is a restricted discretionary activity. Integration of essential services is a matter of discretion, as is the effects on the capacity of Council infrastructure.

In some parts of the Plan, additional assessment criteria are provided to assist decision makers when considering subdivisions that do not meet the essential services standards. With regard to this type of subdivision in the NEIZ, the assessment criteria are given as:

(a) 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.

Further advice to applicants for subdivision in the NEIZ is given as a note to plan users, as follows:

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.

In the case of subdivision activity that cannot provide essential services within 30m of the nearest point of land being subdivided, the activity is generally a discretionary activity. Assessment criteria for this type of application are as follows:

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.
2.6.2 Land Use

The land use provisions in the Zone sections of the Plan follow a similar structure to the subdivision rules and performance standards. The controlled activity performance standards discussed in 2.5.1 above are generally provided as permitted activity performance standards in the land use provisions. Non-compliance with the permitted activity standards are generally considered restricted discretionary activities. Assessment criteria similar to those in the subdivision section of the Plan are provided in the Zone sections for both restricted discretionary and discretionary activity land use.

2.7 Recent Proposed Plan Changes

Proposed Plan Change C Kikiwhenua Residential Area was notified on 19 November 2018. It aims to rezone the land between Te Wanaka Road, Pioneer Highway, and the Mangaone Stream. The Kikiwhenua Residential Area is Stage 1 of the Kakatangiata Residential Growth Area. This was formerly identified as City West, and therefore is one of the three Pressure Sewer Areas identified by Council in its PSS policy and discussed earlier in this s32 evaluation report. Plan Change C will enable the development of approximately 220 new homes.

PNCC has made a submission on Plan Change C to include a definition for Pressure Sewer System and a performance standard, objective, and assessment criterion to clarify the requirement in the Kikiwhenua Residential Area for a pressure sewer system. The amendments sought are consistent with the findings of the Water and Wastewater Servicing Assessment (Appendix 5 of the Plan Change C Section 32 Report) which recommends that pressure sewer systems are a resilient solution for mitigating liquefaction risk. The Council also considers that the performance standard, policy, and assessment criterion for PSS set out in the submission is consistent with the Palmerston North City Council draft policy for Pressure Sewer Systems (attached).

The changes to the Kikiwhenua provisions relating to PSS in the context of Plan Change D are considered to be consistent with the purpose of this plan change. The provisions proposed as part of Plan Change D reflect the changes requested by Council to Plan Change C.

3 Summary of Proposed Plan Change D Changes

The following changes to the Plan are proposed:

3.1 Proposed Definitions

Plan Change D introduces definitions for Pressure Sewer Systems and Pressure Sewer System Area, as follows:

<table>
<thead>
<tr>
<th>Pressure Sewer System</th>
<th>Means a sewer system where sewage is conveyed under pressure generated by multiple pump units, each located on an identified private property, to a shared pressure main.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pressure Sewer Areas</td>
<td>Means the following areas where pressure sewer systems must be utilized:</td>
</tr>
<tr>
<td></td>
<td>- The North East Industrial Zone Extension Area as shown in Map 7.2.</td>
</tr>
<tr>
<td></td>
<td>- The City West Area as shown in Map 9.2.</td>
</tr>
<tr>
<td></td>
<td>- The area of land bound by Napier Road, Roberts Line, the remnant river terrace and Macpherson Grove (PT LOTS 2 3 SEC 418 TOWN OF PALMERSTON NORTH LOT 10 DP 499783, LOT 1 DP 41671, PT LOT 1 DP 25691, LOT 1 DP 16031 BLK XI KAIRANGA SD, LOT 1 DP 456688 and LOT 5 DP 74205 LOT 2 DP 456688)</td>
</tr>
</tbody>
</table>


3.2 Proposed Issues

Ensuring that development is appropriately serviced is essential to the Council’s responsibility under the RMA to manage the use, development, and protection of natural and physical resources in a way that enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety. The Council’s investigations have shown that in some parts of the City, traditional wastewater infrastructure is at risk from natural hazards. In addition, the overall capacity of the reticulated wastewater system would be constrained in the event that future development in the areas identified in this Plan Change were serviced by means of traditional reticulated infrastructure. Pressure sewer systems enable the Council to manage liquefaction risk and other risks and costs associated with enabling infrastructure to the identified growth areas.

Plan Change D therefore proposes the following new issue in the Subdivision section,

Some parts of the urban area of 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.

The purpose of the proposed issue statement is to highlight that the lack of a formal alternative means of connecting to the wastewater network in the urban area can have an adverse effect on delivering planned growth in the City.

The proposed issue meets the good practice guidance for resource management issues as it:

- Identifies the environmental opportunity for improvement;
- Can be addressed by the Council under its functions and responsibilities set out in the RMA;
- Is specific to the City, and specific to certain areas of the City where the natural hazard risks and other constraints are the most pronounced;
- Is succinct; and
- Sets out what is being affected, how and where.

3.3 Proposed Objectives

An amendment to existing Objective 3 of Section 7 Subdivision is proposed as part of this Plan Change. The amended objective reads as follows:

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

- retains Class 1 and Class 2 versatile soils for use as production land
- retains the productive capability of rural land and recognises the valuable contribution made by class 3 soils
- enables small landholdings for intensive horticulture activities in the Flood Protection Zone
- provides for limited rural residential development on land which contains less versatile soils
- maintains the low density development pattern in the Moonshine Valley Rural Residential Area.
- 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.

The objective is specific to the Rural Zone and makes it clear that the use of pressure sewer systems in the Rural environment is not appropriate. Reticulation of this nature is inconsistent with the character of the Rural Zone, and with the anticipated growth and development of the Zone in the medium and long term.

No other new objectives are proposed as part of Plan Change D. This is because the existing Objectives of the Subdivision Zone that apply outside of the Rural Zone, as well as operative objectives in the Zone chapters of the Plan, provide an appropriate framework within which to contemplate and deliver Pressure Sewer Systems both within Pressure Sewer Areas and outside of them (where there is a requirement for additional information to be supplied by the applicant).

The assessment at Appendix 2 demonstrates that the proposed amended Objective 3 of Section 7 is the most appropriate means of achieving the purpose of the RMA.

In addition to the amended provision, there are other objectives in Zone specific sections of the Plan that describe an environmental outcome for the servicing of land and activities to which Pressure Sewer Systems would contribute. For example, Objective 3 in the NEIZ is:

To promote the efficient development and use of land and associated infrastructure within the Zoned area.

3.4 Proposed Policies

Plan Change D includes the amendment of existing policies in the Subdivision section of the Plan. The main focus area of change is Policy 2.7 of the Subdivision section, which sets out how wastewater will be managed in order to ensure that people and the environment are safeguarded from adverse effects of contamination from sewage or industrial liquid waste.

The amendments include describing how the sewerage network will be laid out both outside and within Pressure Sewer Areas. Pressure sewer systems outside Pressure Sewer Areas are provided for in the policy suite, but only where it is feasible for geotechnical, hydraulic, engineering and safety reasons. The amendments to Policy 2.7 also include a new sub-clause describing the use of consent notices in relation to allotments reticulated with a PPS to ensure the requirement and management of on-property equipment for the PSS is identified. This is consistent with the legal advice provided prior to the instigation of PPC D.6

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 where feasible 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; and

6 CR Law Memorandum, 10 September 2018, paragraph 2(a).
• utilizes pressure sewer systems in Pressure Sewer Areas; and
• does not unduly restrict the location of any future buildings.

X. 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.

3.5 Proposed Rules, Methods, Performance Standards and Assessment Criteria

3.5.1 Proposed Rules

The subdivision rules (section 7) of the District Plan are the principle means by which Council ensures allotments (and thereby subsequent development) are appropriately serviced for wastewater, water, stormwater, power and telecommunications. The Engineering Standards for Land Development (the Standards) set out the technical standards necessary to comply with the objectives and policies set out in Section 7 of the Palmerston North City Council’s (PNCC’s) District plan. The Standards contain all the relevant criteria to ensure Developers provide all the information necessary when seeking engineering approval for land development.

Section 7 sets out the rules for subdivision according to Zone. There is also a suite of rules of the back of the section that establish rules for subdivision that apply across all zones. Generally speaking, the operative plan provides for subdivision that complies with the performance standards for essential services as a controlled activity, except where subdivision in that zone or part of a zone automatically attracts a higher activity status. Non-compliance with the operative essential services provisions is usually identified as a restricted discretionary activity.

The purpose of the amendments to the rules of Section 7 is to ensure that allotments in Pressure Sewer Areas are reticulated with a PSS, and to provide a regulatory pathway where subdivision proposals in Pressure Sewer Areas do not comply with the PSS requirement. As discussed below, the regulatory pathway for non-compliance in Pressure Sewer Areas is stringent. Plan Change D proposes that subdivision in Pressure Sewer Areas that can comply with the PSS requirements attracts the same activity status as subdivision (generally controlled or restricted discretionary) in non-Pressure Sewer Areas that complies with the operative essential services performance standards.

3.5.2 Proposed Performance Standards

As discussed earlier in this report, the requirements for servicing sections and land use activities is captured in the Plan by the term ‘essential services’. Plan Change D proposes to amend the existing essential services standards to include reference to PSS specifically in Pressure Sewer Areas.

Only three Pressure Sewer Areas are proposed as part of PPC D. However, the amendments seek to ‘future proof’ the Plan by amending the essential services performance standards wherever they are currently used in Section 7. This is to ensure that in the event that more Pressure Sewer Areas are introduced in the future, there are provisions and performance standards that can ensure the purpose of these areas can be given effect to. Consequently, subdivision performance standards for the following environmental zones will be amended as part of PPC D:

- Residential Zone
- Business Zones
- Industrial and NEIZ
- Institutional Zone

Other zones not listed above but provided for in the Subdivision section of the Plan will not be subject to amendments as part of PPC D because the rules are structured to provide for subdivision in those zones as discretionary or non-complying as a default.
The proposed amendments to ‘essential services’ provisions in Section 7 as part of PPC D will generally be as follows:

(a) 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.

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.

3.5.3 Assessment Criteria

Decision making on restricted discretionary and discretionary activities in the Plan is assisted by the use of assessment criteria, which are considered together with the relevant objectives and policies. Where departure from the essential services performances standards triggers the need for a consent, then the Plan typically provides assessment criteria specifically for consideration of that matter. For example, Rule R7.8.2.1 establishes any subdivision in the NEIZ as a restricted discretionary activity. Integration of essential services and effects on the capacity of Council infrastructure are matters for discretion. Assessment criteria for this activity include consideration of the integration of essential services. The review of the Plan for PPC D have found that in general existing assessment criteria currently ensure that decision makers have the tools with which to assess the effectiveness of PSS proposed as part of a subdivision application in a PSS area. Therefore, no amendments to these aspects of Section 7 are proposed.

3.5.4 Pressure Sewer Areas Definition

Three Pressure Sewer Areas are proposed as part of PPC D. Pressure Sewer Areas are defined.

4 Statutory and Policy Context

4.1 Resource Management Act

4.1.1 The Purpose of the RMA

The purpose of the RMA is to promote the sustainable management of natural and physical resources. Section 5(2) of the Act states:

“In this Act, sustainable management means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while:

a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and

b) safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and

c) avoiding, remedying, or mitigating any adverse effects of activities on the environment.”
4.1.2 Section 32 of the RMA

Under section 32 of the RMA, any proposed district plan change must be accompanied by a report that assesses the following:

- The extent to which each objective is the most appropriate way to achieve the purpose of the RMA; and
- Whether the proposed policies and methods are the most appropriate way in which to achieve the objectives in terms of their efficiency and effectiveness.

The s32 evaluation must take the following considerations into account:

- Identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for:
  - economic growth that are anticipated to be provided or reduced; and
  - employment that are anticipated to be provided or reduced; and
- If practicable, quantify the benefits and costs referred to above; and
- Assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.

Clause 4A of s32 requires that the evaluation report must summarise all advice concerning the proposal received from iwi authorities and summarise the response to the advice, including any provisions of the proposal that are intended to give effect to the advice. This is discussed in more detail in Part 4 of this report.

4.1.3 Functions of District Councils

The Council has statutory functions under section 31 of the RMA, which include the establishment, implementation, and review of objectives, policies and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district.

Section 31(1)(b) requires the Council to control any actual or potential effects of the use, development or protection of land.

Methods devised by a Council to carry out its functions under s31(1) may include the control of subdivision, as provided for under s31(2) of the Act.

4.1.4 The Purpose of District Plans

Section 72 of the RMA states that the purpose of a district plan is to assist territorial authorities to carry out their functions in order to achieve the purpose of the Act.

4.1.5 Preparation of District Plans

Section 73 states that there must be at all times one district plan for each district prepared by the Council in a manner set out in the First Schedule of the Act.

4.1.6 Matters to be Considered by Territorial Authorities

The matters to be considered by the Council when preparing or changing the Plan are set out in section 74 of the Act. This requires the Council to act in accordance with its functions under section 31, the provisions of Part 2, and its duty under section 32. Section 74(2) also sets out a number of other matters Council shall have regard to including plans and strategies prepared under other acts.

4.1.7 Contents of District Plans

Under section 75(3) a District Plan must give effect to:
(a) any national policy statement; and

(b) any New Zealand coastal policy statement; and

(ba) a national planning standard; and

(c) any regional policy statement.

Under s75(4) a district plan must not be inconsistent with:

(a) a water conservation order; or

(b) a regional plan for any matter specified in section 30(1).

With regard to giving effect to the first set of National Planning Standards under s75(3)(c), timeframes apply. Different timeframes apply to different planning standards and different local authorities. City/district councils, like Palmerston North City Council, generally have five years to adopt the planning standards, with seven years for the definitions standard. If a council undertakes a full plan review within these timeframes the new plan must meet the planning standards when it is notified for submissions.

PPC D is not part of a full plan review. It seeks to make modest amendments to a discrete and small number of provisions to provide for a specific infrastructure requirement triggered at subdivision. The sections of the Plan affected by PPC D were recently reviewed in as part of the Sectional District Plan Review process.

4.2 National Policy Context

4.2.1 National Policy Statements

The RMA requires that the District Plan give effect to any National Policy Statement ("NPS"). A NPS is a document prepared under the RMA to provide objectives and policies on matters of national importance. Four National Policy Statements are in place to date, being:

- NPS on Electricity Transmission (2008)
- NPS for Renewable Electricity Generation (2011)
- NPS for Freshwater Management (2014)
- NPS on Urban Development Capacity (2016)
- The New Zealand Coastal Policy Statement 2010 ("NZCPS")

In relation to Pressure Sewer Systems, the NPS on Urban Development Capacity is most relevant. Palmerston North City is identified as a medium growth urban area in the National Policy Statement on Urban Development Capacity (NPSUDC). The NPSUDC requires local authorities to ensure there is sufficient housing and business land development capacity to meet demand. The NPSUDC recognises that urban development is dependent on infrastructure, and that decisions about infrastructure can shape urban development. It requires development capacity to be serviced with development infrastructure, meaning network infrastructure for water supply, wastewater, stormwater and land transport, to the extent it is controlled by local authorities. The NPSUDC aims to encourage the integration and coordination of land use and infrastructure planning.

PPC D contributes to enabling the Council to meet obligations under the NPSUDC, particularly:

OD1 Urban environments where land use, development, development infrastructure and other infrastructure are integrated with each other.
Local authorities shall ensure that at any one time there is sufficient housing and business land development capacity according to:

Short Term: Development capacity must be feasible, zoned and serviced with development infrastructure.

Medium Term: Development capacity must be feasible, zoned and either:
- serviced with development infrastructure, or
- the funding for the development infrastructure required to service that development capacity must be identified in a Long Term Plan required under the Local Government Act 2002.

Long Term: Development capacity must be feasible, identified in relevant plans and strategies, and the development infrastructure required to service it must be identified in the relevant Infrastructure Strategy required under the Local Government Act 2002.

When making planning decisions that affect the way and the rate at which development capacity is provided, decision-makers shall provide for the social, economic, cultural and environmental wellbeing of people and communities and future generations, whilst having particular regard to:

- Promoting the efficient use of urban land and development infrastructure and other infrastructure; and

The Council is also required to carry out and publish development capacity assessments of the actual and likely availability of development infrastructure and other infrastructure in the short, medium and long term as set out under Policy PA1.

4.2.2 National Environmental Standards

The RMA requires that the District Plan give effect to any National Environmental Standards ("NES"). A NES provides technical standards, methods or requirements for matters of national importance. Five National Policy Statements are in place to date, being:

- NES for Air Quality
- NES for Sources of Drinking Water
- NES for Telecommunication Facilities
- NES for Electricity Transmission Activities
- NES for Assessing and Managing Contaminants in Soil to Protect Human Health

In relation to providing for Pressure Sewer Systems, it is considered that no NES is relevant and as such no further analysis is required as part of this report.

4.2.3 Local Government Act 2002

The LGA defines the purpose, roles and responsibilities of local government. It provides a framework and powers for local authorities to determine the activities they undertake and the manner in which they undertake them.
Section 146 of the LGA 2002 states that a local authority may make bylaws for its district for the purposes of regulating one or more of the following:

1. on-site wastewater disposal systems:
2. waste management:
3. trade wastes:
4. solid wastes:

Local authorities may also make bylaws for managing, regulating against, or protecting from, damage, misuse, or loss, or for preventing the use of the land, structures, or infrastructure associated with 1 or more of the following:

1. water races:
2. water supply:
3. wastewater, drainage, and sanitation:

On 20 May 2019, consultation on the Council’s proposed Wastewater Bylaw closed. The bylaw sets out the rules for connecting to the City’s wastewater network. The review was prompted by the introduction of the Council-wide pressure sewer systems policy. The new bylaw incorporates new and revised aspects that support the Council’s Policy on PSS. Pressure sewer systems may only be installed within the Wastewater Service Area as defined in the Wastewater Bylaw. These areas are consistent with the defined Pressure Sewer Areas.

4.2.4 Horizons One Plan Context

Public or community sewage treatment plants and associated reticulation and disposal systems are identified as a physical resource of regional importance in Policy 3-1 (a)(viii) of the Horizons One Plan. Policy 3-2 of the One Plan seeks to protect regionally important infrastructure from the adverse effects of the use and development of land. Policy 3-3 requires the adverse effects of regionally important infrastructure on the environment to be managed.

The provisions in PPC D are consistent with the objectives and policies of the One Plan in respect of the management of regionally important infrastructure.

4.2.5 Local Strategic Context

The Council-wide Pressure Sewer System Policy 2018 contributes to the City’s goal of being an eco city, as well as an innovative and growing city. It supports the Eco City and City Development Strategies by creating a framework to allow the installation of pressure sewer systems in Palmerston North City, enabling areas of the city, including designated growth areas that would be difficult to service with a conventional gravity sewer system, to be connected to the sewer reticulation.

As described in Section 1, PPC D contributes to the City’s strategic goals, and is one of a series of local measures to provide for Pressure Sewer Systems in the City. The suite of measures is as follows:

- A Council-wide policy for pressure sewer systems;
- An addendum to the Council’s Engineering Standards for land Development to specifically provide the specific design and performance requirements for pressure sewer systems;
- Changes to the Council’s Three Waters Service Connections Approval System, including expansion of the existing approved contractors’ system for service connections to include approval of contractors for the installation of pressure sewer system components;
- Introduction of a new process for approval of suppliers of pressure sewer systems for Council;
- Development of a homeowner’s guide for property owners and residents of properties that are served by a pressure system;
- Revised Wastewater Bylaw; and
- Review of subdivision conditions and consent notices relating to the provision of PSS.
5 Consultation

5.1 Legislative Requirements

Clause 3 of the First Schedule of the RMA specifies the people who must be consulted in the preparation of a plan, including plan changes. The provisions relevant to this PC22 are:

3. Consultation

(1) During the preparation of a proposed policy statement or plan, the local authority concerned shall consult—

(a) the Minister for the Environment; and

(b) those other Ministers of the Crown who may be affected by the policy statement or plan; and

(c) local authorities who may be so affected; and

(d) the tangata whenua of the area who may be so affected, through iwi authorities; and

(e) any customary marine title group in the area.

(2) A local authority may consult anyone else during the preparation of a proposed policy statement or plan.

(3) Without limiting subclauses (1) and (2), a regional council which is preparing a regional coastal plan shall consult—

(a) the Minister of Conservation generally as to the content of the plan, and with particular respect to those activities to be described as restricted coastal activities in the proposed plan; and

(b) the Minister of Transport in relation to matters to do with navigation and the Minister’s functions under Parts 18 to 27 of the Maritime Transport Act 1994; and

(c) the Minister of Fisheries in relation to fisheries management, and the management of aquaculture activities.

(4) In consulting persons for the purposes of subclause (2), a local authority must undertake the consultation in accordance with section 82 of the Local Government Act 2002.

4B Further pre-notification requirements concerning iwi authorities

Before notifying a proposed policy statement or plan, a local authority must—

(a) provide a copy of the relevant draft proposed policy statement or plan to the iwi authorities consulted under clause 3(1)(d); and

(b) have particular regard to any advice received on a draft proposed policy statement or plan from those iwi authorities.

(2) When a local authority provides a copy of the relevant draft proposed policy statement or plan in accordance with subclause (1), it must allow adequate time and opportunity for the iwi authorities to consider the draft and provide advice on it.
5.2 Statutory Consultation

Clause 3 of Schedule 1 of the RMA requires local authorities to consult with a number of parties during the preparation of a proposed plan. This has been undertaken in accordance with Clause 3, with the following organisations and authorities consulted on PPC D:

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<th>Consultee</th>
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<td>Neighbouring District Councils</td>
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<td>Tararua District Council</td>
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<td>Rangitikei District Council</td>
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<td>Manawatu District Council</td>
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<td>Iwi</td>
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<td>Tanenuiarangi Manawatu Inc.</td>
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<td>Ngāti Raukawa ki te Tonga</td>
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<td>Rangitāne</td>
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<td>Government Ministries</td>
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<td>Minister for the Environment</td>
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<tr>
<td>Any other Ministers of the Crown who may be affected, e.g. MBIE, Minister for Transport</td>
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5.3 Consultation on the Council’s Pressure Systems Sewer Policy (2018)

In October 2018, PNCC issued a draft Pressure Sewer Systems Policy for targeted consultation to:

- Landowners/developers in the areas where Council will specify these systems
- Agents working for developers or landowners
- Builders and plumbers/drainlayers
- Suppliers of pressure sewer systems

Letters were sent to all recorded property owners located in the proposed Pressure Sewer Areas, agents working for developers or landowners as well as builders and plumbers/drainlayers on 9 October 2018. The letters invited the recipients to a workshop about the policy, to visit the policy webpage and/or phone Council about the policy. Rangitāne were contacted for their feedback following on from the Council’s regular bimonthly liaison meeting.

The draft policy was available on the Council’s website and the public were invited to complete brief questionnaire comprising the following questions:
Do you support the introduction of a pressure sewer systems policy? Y/N (respondents were invited to provide details)

Do you envisage any practical difficulties associated with the proposed introduction of the pressure sewer systems policy? Y/N (respondents were invited to provide details)

How likely are you to recommend or require the installation of pressure sewer systems for developments outside of the proposed Council specified areas? (1 being unlikely to recommend and 5 being almost certain to recommend)

Responses to the draft Council wide policy are detailed in a Memorandum dated 6 November 2018 to the Planning and Strategy Committee held on 3 December 2018. The report is included in Appendix 3 of this document. Three written submissions were received, two of which were in support. The matters raised in the submissions are summarised here:

- support the Policy as pressure sewer is an efficient way to provide a sewer service to future development areas and areas with specific challenges
- do not support the Policy as they are happy with their existing on-site sewer infrastructure, and concerned at the impact of the initial capital and ongoing operational costs
- concerned to understand whether Council would be funding the extension of the wastewater system (in City West)
- Foresaw practical difficulties with the introduction of the Policy, given the ongoing operational costs to be borne by the property owners.
- Concerns about potential issues with ownership of infrastructure in private communal accessways.

Kingsdale Park Limited made a specific submission advocating for Council to use its proposed discretion under the Policy to take over ownership of the on-property pressure sewer equipment in the development. At present the mains and laterals up to the boundary kit are vested with Council, while the on-property equipment remains in private ownership.

Rangitāne generally supported the PSS policy but questioned the potential increase in overall energy use with the PSS compared to traditional gravity systems.

In response to the feedback received, some changes were made to the Council wide policy, and these are set out in Table 1 of the report in Appendix 3. The policy was adopted by Council in December 2018.

The provisions in PPC D are consistent with the Council’s Pressure Sewer Systems policy.

5.4 Other Engagement and Consultation

5.4.1 Engagement with Council Staff

PPC D has been developed with the assistance and input of Council staff from a range of disciplines, including regulatory and policy planning, and infrastructure and subdivision engineering.

5.4.2 Legal opinion

Council’s legal advisors, CR Law, provided a memorandum Council staff in September 2018 providing recommendations and responses to a number of questions concerning Council’s intended roll-out of PSS in certain areas of the City. This memo is included in Appendix 4 of this evaluation report. It provided advice on the suite of measures intended to provide for and support the roll-out of PSS, including the proposed Plan Change for PSS; Council’s draft PSS policy; proposed amendments to the Council’s Engineering Standards for Land Development to
provide for PSS; proposed changes to the Wastewater Bylaw; and suggested wording for conditions of subdivision resource consent to provide for PSS.

With regard to a proposed Plan Change, CR Law found:

*The Council should review issues, objectives, policies, rules, and assessment criteria in forthcoming plan changes to clearly signal to the development community that Pressure Sewer Systems are the preferred means of sewage disposal in identified areas. Directive Policy and assessment criteria will steer developers to prepare subdivision accordingly and will provide decision-makers with sufficient discretion to require Pressure Sewer Systems and impose appropriate conditions through subdivision consent decision-making. Provisions should be specifically applicable to the identified areas rather than city-wide application [....]*

## 6 Evaluation of the Proposed Plan Change

### 6.1 How appropriate are the objectives of the Plan to achieve the purpose of the RMA?

#### 6.1.1 Summary Assessment of the Appropriateness of the Objectives

Plan Change D is an amending proposal as it amends an existing Plan. In this situation, the Act requires the proposed provisions of the private plan change to be evaluated against both the objectives of the plan change (if there are any) and the relevant objectives in the existing Plan. This is so a plan change cannot be justified based solely on its own objectives, without being consistent with the broader plan objectives. The evaluation must assess whether the new provisions will help achieve the objectives already in the plan and will not undermine them.

There is a modest amendment to existing Objective 3 of the Subdivision section proposed as part of this plan change. Other relevant objectives, principally Objective 1, 2 and 5, in the Subdivision section of the Plan are proposed to remain unchanged. This is because they are already consistent with the outcomes sought to be achieved by PPC D.

Objective 1 seeks to achieve an integrated approach to the subdivision and development in the urban area with other development. This is consistent with the strategic enablement of Pressure Sewer Systems in the urban environment, which seeks to support the growth of parts of the City that the Council wishes to support the growth and development of.

Objective 2 seeks 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. Pressure Sewer Systems have been identified by Council as enabling certain constraints associated with urban land to be overcome in a way that supports sustainable growth. Proposed amendments to policies under Objective 2 re-affirm the Council’s commitment to the deployment of PSS in Pressure Sewer Areas, and providing for PSS in other parts of the urban environment subject to meeting certain information and justification thresholds.

Objective 5 is related specifically to the NEIZ. This zone has been identified as being a Pressure Sewer Area, which is consistent with the Objective 5’s goal 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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7 CR Law Memorandum, 10 September 2018, paragraph 2(a).
The table at Appendix 2 assesses the proposal against the Objective 3 which is proposed to be amended. The assessment uses a number of criteria to determine their appropriateness in respect of Plan Change D.

It is recommended that the operative Objective 3 be amended as proposed in order to ensure the issue identified in section 1.2 is effectively and efficiently addressed. The other relevant objectives identified above are recommended to remain as per the operative Plan.

6.2 Option for Achieving the Objectives

6.2.1 Summary of Options

The options to achieve the proposed Objective that have been considered in the development of PPC D are outlined below:

Option 1: Status Quo (no change from the Operative Plan)

This option involves retaining the existing provisions in the Plan to manage wastewater infrastructure in Palmerston North.

Option 2: Identify Pressure Sewer Areas and provide specifically for them in the provisions of the District Plan

This option involves amending Section 7 Subdivision, Section 4 Definitions and other consequential amendments in the Plan to specifically direct the requirement for pressure sewer systems in Pressure Sewer Areas, and the consideration of pressure sewer systems outside of the Pressure Sewer Areas.

6.2.2 Recommended Option

The table in Appendix 5 provides a summary evaluation of the options considered to achieve the proposed objective. It is considered that the most effective and efficient approach is Option 2.

7 Summary Assessment of the Appropriateness of the Preferred Provisions to Achieve the Objectives

Section 32(1)(b) states that in addition to examining the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of this Act, an evaluation report must:

“examine whether the provisions in the proposal are the most appropriate way to achieve the objectives by—

(i) identifying other reasonably practicable options for achieving the objectives; and

(ii) assessing the efficiency and effectiveness of the provisions in achieving the objectives; and

(iii) summarising the reasons for deciding on the provisions […]

(2) An assessment under subsection (1)(b)(ii) must—

(a) identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for—

(i) economic growth that are anticipated to be provided or reduced; and
(ii) employment that are anticipated to be provided or reduced; and

(b) if practicable, quantify the benefits and costs referred to in paragraph (a); and

(c) assess the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the provisions.

The costs and benefits of each option are identified in the analysis below, followed by an assessment which meets the requirements of s32(1)(b)ii) and a32(2)(a), a32(2)(a)(i) and (ii), and s32(2)(c) as set out above.

7.1 Definitions

7.1.1 Costs and Benefits associated with the Implementation of the definitions

The following new definitions are proposed as part of PPC D:

<table>
<thead>
<tr>
<th><strong>Pressure Sewer System</strong></th>
<th>Means a sewer system where sewage is conveyed under pressure generated by multiple pump units, each located on an identified private property, to a shared pressure main.</th>
</tr>
</thead>
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| **Pressure Sewer Areas**  | Means the following areas where pressure sewer systems must be utilized:  
- The North East Industrial Zone Extension Area as shown in Map 7.2.  
- The City West Area as shown in Map 9.2.  
- The area of land bound by Napier Road, Roberts Line, the remnant river terrace and Macpherson Grove (PT LOTS 2 3 SEC 418 TOWN OF PALMERSTON NORTH LOT 10 DP 499783, LOT 1 DP 41671, PT LOT 1 DP 25691, LOT 1 DP 16031 BLK XI KAIRANGA SD, LOT 1 DP 456688 and LOT 5 DP 74205 LOT 2 DP 456688) |

The aim of the definitions is to provide certainty as to what is meant by pressure sewer system and where such systems are required by the Plan. The definition of pressure sewer systems is consistent with the definitions and description in the Council-wide policy for pressure sewer systems, and thus supports the Council’s overall package of measures, guidance and advice for the installation of PSS in the City. The introduction of these definitions will ensure the Plan is interpreted consistently by all users. This is more efficient and effective that the status quo Plan, which does not define pressure sewer systems, or the areas in which they are required.

7.1.2 Economic Growth and Employment Opportunities

The use of pressure sewer systems in Pressure Sewer Areas will enable areas of the City to accommodate growth and development in a sustainable way. Therefore, the proposed package of provisions will contribute to enabling the economic growth and employment opportunities associated with the growth and development of those areas.

7.1.3 Risks associated with the Preferred Option

There is considered to be little risk associated with the preferred option of defining pressure sewer systems and pressure sewer areas. It will enable the plan to be interpreted and implemented effectively and efficiently by all users.

7.2 Policies

As part of this Plan Change it is proposed to introduce amendments to Policy 2.7 of Section 7 Subdivision. These have been described earlier in this report.
7.2.1 Costs and Benefits associated with the Implementation of the Provisions

There are costs associated with installing wastewater infrastructure, regardless of the method. In this instance, the Council is requiring the provision of PSS in Pressure Sewer Areas instead of the traditional gravity method. The advantages of PSS are set out in Section 1 and include efficiencies for Council in terms of preserving existing wastewater network capacity and deferring downstream network capacity upgrades due to lower peak flows. This is a substantial benefit to Council, which is seeking to attract and promote growth and manage the effects of growth sustainably within existing infrastructure. There are additional benefits to the City related to the provision of PSS in Pressure Sewer Areas as it provides an engineering solution to natural hazard constraints. As demonstrated in Section 1 of this report, PSS is more cost effective than traditional gravity means of reticulation as pipe sizes are smaller, installation depth is shallower and there is no need for grade dependency. Overall, the economic, environmental and social benefits of the implementation of policies that clearly indicate when and how sewage will be disposed of in the City outweigh the costs.

The implementation of the proposed new sub-clause will ensure that subdivision consents and post-consent legal processes can be carried out effectively and efficiently.

As discussed earlier in this report, the provision of any sort of reticulated wastewater service to development is limited to the urban areas of the City. City View objectives and the objectives and policies related to subdivision in the Rural Zone make it clear that rural subdivision is not to be reticulated to public networks. This minimises the infrastructural demands of development in the rural zone on the public networks and is also consistent with its rural character. The proposed amendment to Objective 3 of Section 7 reinforces this direction, and the existing policies and rules of the Subdivision chapter that manage rural subdivision create a regulatory framework within which reticulating rural subdivision via Pressure Sewer Systems is avoided.

7.2.2 Economic Growth and Employment Opportunities

The use of pressure sewer systems in Pressure Sewer Areas will enable areas of the City to accommodate growth and development in a sustainable way. Therefore, the proposed policy amendments will contribute to enabling the economic growth and employment opportunities associated with the growth and development of those areas.

7.2.3 Risks associated with the Preferred Option

The implementation of the proposed policies is intended to result in more efficient and effective consents processing, and the delivery of PSS in Pressure Sewer Areas. The Pressure Sewer Areas have already been identified by Council in its Council-wide Pressure Sewer System Policy 2018. To date, the status quo approach has carried with it the risk that the delivery of PSS in areas defined by Council as requiring PSS is resisted. This leads to additional processing costs for all parties, and also the risk that inappropriate wastewater infrastructure will be delivered, or growth will be hampered. There has also been the risk that Council has insufficient policy and planning methods to resist the installation of PSS outside of Pressure Sewer Areas. It is considered that there is little risk associated with the implementation of the preferred option.

7.3 Rules and Methods, including Assessment Criteria

PPC D introduces a new rule, R7.16.3.2, which provides for subdivision in a Pressure Sewer Area that does not provide wastewater reticulation with a Pressure Sewer System as a non-complying activity.

Other amendments to the rules related to PPC D are limited to amendments to the performance standards for essential services associated with existing rules. Essential services are defined as follows in the operative Plan:

*Essential services means*

- *the Palmerston North City Council reticulated sewage and reticulated water supply systems*
stormwater systems

electrical power and telecommunication networks.

Changes to the essential services performance standard is generally written as follows in PPC D:

(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. 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

v. For the purposes of (iii) and (iv) above, the Pressure Sewer System 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.

wv 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.

7.3.1 Costs and Benefits associated with the Implementation of the Provisions

The underlying premise of PPC D is that pressure sewer systems will be installed inside Pressure Sewer Areas, for reasons set out earlier in this report; and traditional gravity wastewater reticulation will be used outside of identified Pressure Sewer Areas. The performance standards of existing rules governing subdivision across the City are proposed to be amended to reflect this premise. The amendments also provide for the installation of Pressure Sewer Systems outside of Pressure Sewer Areas in specific circumstances, where the applicant can demonstrate that this method is feasible from a geotechnical, hydraulic, engineering and safety perspective. This provides Council decision makers with the means to require appropriate information from applicants outside of Pressure Sewer Areas wishing to install PSS. This will ensure the use of this infrastructure is consistent with the Objectives of Section 7, Subdivision, and also the City View Objectives, as well as objectives in the Zone sections of the plan.

As discussed earlier in this report, the costs to install a Pressure Sewer System is not necessarily more expensive than a traditional gravity connection to the wastewater network, and in many cases cheaper. Material costs are generally lower than for traditional connection, and trenching costs are also lower as trenches do not have to be as deep as for gravity connections. Ongoing maintenance costs can also be cheaper, as the system does not require manholes or large public pump stations.

Pressurised systems use specially designed grinder pumps that reduce any solids into a slurry, which is then pumped into the network. Each household has a grinder pump which does average only 20 minutes/day of pumping. Homeowners are responsible for the cost to run the pump system, and these are generally very low, typically $25-$35 per year.

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8 https://www.ecoflow.co.nz/pressure-sewer.

Generally, pump systems are designed with emergency storage for up to 24 hours in the event of a power failure, and the system can continue to be used during that time. However, householders are encouraged, through documentation like the Halswell Commons Dossier referenced above or owner guides, to minimise water use during that time.

PPC D introduces a new rule, R7.16.3.2, which establishes subdivision in a Pressure Sewer Area that does not provide wastewater reticulation with a Pressure Sewer System as a non-complying activity. This activity status is often reserved for those activities where the potential adverse effects are great but do not necessarily warrant prohibition. An application for a non-complying activity can be declined or granted (with or without conditions). The non-complying activity status can be useful for situations where it is intended that consents only be granted in exceptional circumstances.

The Council has taken a highly strategic and comprehensive approach to ensuring Pressure Sewer Systems are provided in Pressure Sewer Areas instead of traditional gravity connections. Allowing gravity connections in Pressure Sewer Areas would undermine the Council's strategic approach and place the sustainable growth of the Pressure Sewer Areas at risk. Consequently, the non-complying activity status is appropriate.

Using the non-complying activity status requires clear, strong, objectives and policies to be included in plans. Without this, there is a risk that the threshold to meet the second test in s104D(1)(b)) may be set too low, inadvertently allowing consents to be granted where it may not otherwise have been desirable to do so. Objective 2 and policies 2.7(1)-(3) of the Subdivision section are the most relevant when considering activities under R7.16.3.2. As proposed to be amended, Policy 2.7(3) states that pressure sewer systems will be utilised in Pressure Sewer Areas. The proposed definition for Pressure Sewer Areas is as follows:

Means the following areas where pressure sewer systems must be utilized:
- The North East Industrial Zone Extension Area as shown in Map 7.2.
- The City West Area as shown in Map 9.2.
- The area of land bound by Napier Road, Roberts Line, the remnant river terrace and Macpherson Grove (PT LOTS 2 3 SEC 418 TOWN OF PALMERSTON NORTH LOT 10 DP 499783, LOT 1 DP 41671, PT LOT 1 DP 25691, LOT 1 DP 16031 BLK XI KAIRANGA SD, LOT 1 DP 456688 and LOT 5 DP 74205 LOT 2 DP 456688)

This creates a robust framework within which to consider applications that trigger the non-complying rule and be able to reject such an application under the s104D(1)(b) test.

In parts of the urban area outside of identified Pressure Sewer Areas, the Council’s preference is for the use of traditional gravity connections to the wastewater network. However, Council acknowledges that in some situations, Pressure Sewer Systems may be an appropriate, effective and efficient means of connecting to the reticulated network. PPC D therefore seeks to provide for the installation of Pressure Sewer Systems in the urban area but outside the identified Pressure Sewer Areas subject to applicants being able to provide engineering,
hydraulic and other technical information to demonstrate its suitability and its ability to provide for the health and safety of the community. This is provided for in the essential services performances standards, sub-clause (iv). The degree of discretion provided to Council decision makers in this performance standard is supported by the activity status of the associated subdivision activities, either as a matter of discretion in the case of Restricted Discretionary activities, or a matter of control for Controlled Activities.

On balance, the costs associated with the installation, maintenance and operation of pressure sewer systems are outweighed by the environmental, social and economic benefits.

7.3.2   Risks associated with the Preferred Option

The implementation of the proposed provisions is intended to result in more efficient and effective consents processing, and the delivery of PSS in Pressure Sewer Areas. The costs associated with the option are outweighed by the benefits. It is considered that there is little risk associated with the implementation of the preferred option.

7.4   Pressure Sewer Areas Definition

Pressure Sewer Areas will be defined as follows:

Means the following areas where pressure sewer systems must be utilized:

- The North East Industrial Zone Extension Area as shown in Map 7.2.
- The City West Area as shown in Map 9.2.
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Pressure Sewer Areas are geographical areas where pressure sewer systems must be utilised. They have already been identified in the Council’s general Pressure Sewer System Policy which was adopted in 2018. All properties requiring a wastewater connection within a Pressure Sewer Area will be obligated to install a pressure sewer system and connect to the pressure network.

7.4.1   Costs and Benefits associated with the Implementation of the Provisions

There are no specific costs to clearly define the Pressure Sewer Areas over and above those associated with implementing the policies described above. The benefits of defining the areas include increased clarity and certainty for developers and landowners considering development; and increased efficiency and effectiveness in the planning and subdivision process for all plan users.

7.4.2   Economic Growth and Employment Opportunities

The use of pressure sewer systems in Pressure Sewer Areas will enable areas of the City to accommodate growth and development in a sustainable way. Defining the proposed areas where pressure sewer systems will be required will contribute to enabling the economic growth and employment opportunities associated with the growth and development of those areas.

7.4.3   Risks associated with the Preferred Option

Clearly defining the areas where pressure sewer systems are required to be installed provides certainty for landowners and developers as to what type of infrastructure is required in those areas of the City. This will reduce the risk associated with uncertainty and provide for a more effective and efficient subdivision and development process.
8 Statutory Evaluation

8.1 Section 5 – Purpose

The purpose of the Act is to promote the sustainable management of natural and physical resources. In achieving the purpose of the Act, the Council must manage use and development in a way that enables people to provide for their economic social and cultural wellbeing and health and safety, while avoiding, remedying or mitigating any adverse effects of activities on the environment.

Ensuring that development is appropriately serviced in terms of wastewater infrastructure enables people to provide for their economic and social wellbeing. Providing for pressure sewer systems in Pressure Sewer Areas will enable growth in parts of the City identified as suitable for sustainable growth. The additional environmental and economic advantages of providing PSS in the areas identified as part of this Plan Change are detailed in section 1 of this report.

Establishing provisions in the District Plan that better ensure the provision of PSS in PSS Area is considered to be warranted in order to achieve the purpose of the Act.

8.2 Section 6 – Matters of National Importance

Section 6 of the RMA identifies matters of national importance that are required to be recognised and provided for in achieving the purpose of the Act. Section 6 of the Act requires the management of significant risks from natural hazards (s6(h)) to be recognised and provided for. Pressure sewer systems are identified as being effective in mitigation of damage risk from liquefaction as the pipe network is resilient and resistant to the effects of these types of natural hazards.

8.3 Section 7 – Other Matters

Section 7 of the Act requires decision makers to have particular regard to a range of matters in exercising their functions and powers under the RMA. Of particular relevance to this Plan change is Section 7(b) which requires particular regard to be had to the efficient use and development of natural and physical resources. PPC D seeks to ensure that the use and development of natural and physical resources is undertaken as efficiently as possible. For example, providing for PSS in Pressure Sewer Areas ensures efficient use of the existing capacity of the wastewater network.

8.4 Section 8 – Treaty of Waitangi

Section 8 of the Act requires that the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) are taken into account when achieving the purpose of the Act and have been considered as part of this plan change.

9 Scale and Significance

This evaluation report “must contain a level of detail that corresponds to the scale and significance of the ... effects that are anticipated from the implementation of the proposal” (s32(1)(c)). Scale refers to the size or magnitude of the effects, including how many people or species or other natural resources are affected, by how much, and over
how wide an area. Guidance on this component of s32 evaluations states, “where the impacts of a proposal are likely to be low, little detail will be required in the evaluation report”.  

9.1 Reasons for the change

The reasons for the proposed Plan Change have been outlined in Section 1 of this report. In summary, Proposed Plan Change D will ensure:

1. It is clearly signalled to the development community that PSS are the only means of sewage disposal in identified Pressure Sewer Areas of the City;
2. Pressure sewer is allowed outside of the identified Pressure Sewer Areas, subject to a range of technical criteria;
3. That Plan provisions are sufficiently clear and direct to enable decision-makers assessing and determining applications for subdivision to require PSS in identified areas of the City; and
4. That provisions clearly articulate Council’s expectations in relation to PSS to facilitate consultation and discussions between developers and Council at the subdivision design and pre-application stage.

The changes will:

- Allow more specifically for the installation of PSS;
- Specify the areas Council requires PSS to be installed; and
- Ensure that traditional gravity alternatives in those specified areas are not provided for ‘as of right’.

9.2 Degree of shift from the status quo

Until the relevant District Plan change is operative Council officers will continue to utilise the discretion currently allowed by the existing Plan and the direction of the Council-wide Pressure Sewer Policy 2018 to ensure that PSS are installed in the Pressure Sewer Areas. Officers will ensure this occurs by utilising standard conditions of consent for subdivisions that are to be served by PSS, including a consent notice that will detail:

- the requirement for the installation of the on-property equipment at the time of building consent
- on-going requirements of the property owner in relation to the operation and maintenance of the pressure sewer system and equipment.

PPC D seeks to formalise the Council’s District Plan tools in order to secure appropriate infrastructure outcomes across the urban areas of City. Therefore, the provisions in the proposed plan change are not considered to be a significant shift from the status quo.

9.3 Who and how many will be affected?

Landowners and developers in Pressure Sewer Areas will be affected. The number of individuals affected has not been quantified, but the Pressure Sewer Areas are clearly defined. Landowners and developers outside of Pressure Sewer Areas wishing to install pressure sewer systems instead of traditional gravity fed wastewater systems will also be affected as they will need to provide specific technical information to support PSS.

9.4 Degree of impact on, or interest from, iwi/Māori

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Māori and non-Māori landowners in Pressure Sewer Areas will be similarly affected. There has been no specific interest from iwi or mana whenua on the roll out of Pressure Sewer Areas and the requirement for PSS.

9.5 When will the affects occur?

The effects of the implementation of the provisions in Plan Change D will occur as soon as development in Pressure Sewer Areas requiring wastewater services occurs.

9.6 Geographic scale of the effects

The primary geographic effect will be in Pressure Sewer Areas, which are clearly defined. The secondary geographic effect will be in non-Pressure Sewer Areas, where the use of pressure sewer systems over traditional gravity fed infrastructure is determined to be appropriate by decision makers considering a range of technical information that must be supplied by the applicant.

9.7 Types of effects

An immediate effect will be the installation of appropriate wastewater infrastructure across the City. This will enable development to take place in Pressure Sewer Areas in a way and at a rate that allows for the sustainable use of the City’s wastewater network infrastructure.

9.8 Degree of policy risk, implementation risk or uncertainty

PPC D is well supported by a suite of other non-District Plan measures, as listed in Section 1 of this report. These other measures have been in development for some time and have involved public consultation. The technical justification for PSS in Pressure Sewer Areas is comprehensive. There is considered to be little policy risk, implementation risk or uncertainty associated with PPC D.

10 Conclusion

This report provides a summary assessment of PPC D consistent with s32 of the RMA. The report describes the purpose of the Plan Change and summarises an evaluation of:

- The objective and aim of the Plan Change;
- The broad plan change options;
- The proposed amendments to the policy framework to introduce new objectives and policies; and
- The proposed methods and standards.

The report concludes that the PPC D is the most appropriate way to achieve the purpose of the RMA and to give effect to the RPS. The report considers two plan change options, and concludes that the proposed Plan Change is the most appropriate.
11 Appendices

Appendix 1: PPC D Proposed Provisions
SECTION 4: DEFINITIONS

CONTENTS

Pressure Sewer Systems
Pressure Sewer Areas
**4. DEFINITIONS**

**NOTE TO PLAN USERS**
A glossary of Maori words and terms is contained in Section 3 of this Plan.

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

| Prepared Food & Beverage Outlet | means a business primarily engaged in the preparation and serving of food and beverages for immediate consumption and without limiting the generality of this term includes:  
• restaurants; and  
• takeaway food outlets. |
<table>
<thead>
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| Production Land | means the same as the definition within Section 2 of the Resource Management Act 1991. |
7. SUBDIVISION

7.2 Resource Management Issues

9. Some parts of the urban area of 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.

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.

7.3 Objectives and Policies

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...
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 where feasible 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; and
   - utilizes pressure sewer systems in Pressure Sewer Areas; and
   - does not unduly restrict the location of any future buildings.

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

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

5. All allotments in urban areas are to be provided with a connection to the City Council reticulated sewage system.

6. In rural areas including the areas identified on the Planning Maps for rural residential subdivision, sewage will be disposed of on-site in accordance with Clause G13 of the Building Code as set out in the First Schedule to the Building Regulations 1992 and the requirements of the One Plan for on-site domestic wastewater treatment systems, in particular the Manual for On-site Wastewater Systems Design and Management (Manawatu-Wanganui Regional Council, 2010).
And the size, shape and arrangement of allotments:
- recognises the physical constraints of the site;
- is capable of disposing the anticipated wastewater loads on-site;
- permits appropriate access for maintenance and servicing.

**OBJECTIVE 3**

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

- retains Class 1 and Class 2 versatile soils for use as production land
- retains the productive capability of rural land and recognises the valuable contribution made by class 3 soils
- enables small landholdings for intensive horticulture activities in the Flood Protection Zone
- provides for limited rural residential development on land which contains less versatile soils
- maintains the low density development pattern in the Moonshine Valley Rural Residential Area.
- 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.

**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:
   - Subdivision design and layout; the size, shape and arrangement of lots, the location of design and 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:
   - Subdivision design and layout; the size, shape and arrangement of cross lease and company lease areas, units and the location and design of access.
• The layout and design of services and service connections to network infrastructure.

Performance Standards for Controlled Activities under R7.6.1.1

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

(b) Lot Size
i. In the Aokautere Development Area (refer Map 10.1), but excluding the Parklands Area,
   • each lot shall contain 400m² of contiguous developable land; and
   • the average area of lots available for residential purposes shall be at least 600m². In calculating the average lot area, no lots over 1000m² shall be included.

ii. In the Aokautere Parklands Area each lot shall contain 1300m² of contiguous developable land.

iii. In the Ashhurst, Bunnythorpe and Longburn village residential areas – each lot must be at least 500m².

iv. In the Palmerston North urban area – each lot must be at least 350m².

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

(c) Shape Factor
For subdivisions in the Aokautere Development Area or Ashhurst, Bunnythorpe and Longburn village residential areas, where the subdivision will result in more than six allotments intended for residential purposes, each allotment shall be able to contain a circle of 18 metres in diameter. In the Aokautere Development Area, the required circle shall be entirely comprised in Developable Land.

(d) Access
i. Access to lots from a public road may be provided by way of either:
   i. an access leg at least 3 metres wide forming part of the lot; or
   ii. a shared access consisting of up to six strips lying adjacent to one another and giving access to no more than five other lots, and in respect of which reciprocal rights-of-way are granted or reserved; or
   iii. an access lot or strip held in common ownership with the lot and up to five other lots; or
   iv. any right-of-way running with and appurtenant to the land in which the lot is comprised.

ii. No two or more access strips to lots may lie adjacent to one another unless easements are granted over each access strip in a manner which enables joint use of a single driveway, and a single point of access to a public road.

iii. The width of shared access shall be as follows:

<table>
<thead>
<tr>
<th>Number of Sites</th>
<th>Minimum Width of Access</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 – 3</td>
<td>3.5 metres</td>
</tr>
<tr>
<td>4 - 6</td>
<td>5.0 metres</td>
</tr>
</tbody>
</table>

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. 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.

v. For the purposes of (iii) and (iv) above, the Pressure Sewer System 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.

vi. 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. Performance standard (iii) requires that wastewater in Pressure Sewer Areas is reticulated with a Pressure Sewer System. Performance standard (iv) allows for Pressure Sewer Systems to be utilized outside of Pressure Sewer Areas, provided the developer can demonstrate it is feasible. The Council will take geotechnical, hydraulic, engineering and safety considerations into account when considering the use of PSS outside of Pressure Sewer Areas.

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

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

(f) Esplanade Reserves

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

(g) Pacific Drive Extension Area

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

i. Makes provision for firefighting requirements for residential areas;

ii. Accommodates the anticipated flows and demands on the supply; and withstand the anticipated pressure and loads.

iii. Is able to service each lot to be created;
iv. Is compatible with other utility systems;
v. Avoids the likelihood of potable water contamination;
vi. Permits appropriate access for firefighting;
vii. Has a design life of at least 70 years;
viii. Avoids the likelihood of leakage.

**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 R17.16.2.5.

(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.

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(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.

7.7 **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.
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.

v. For the purposes of (iii) and (iv) above, the Pressure Sewer System 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.

iii.iv 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), and which is not a non-complying activity under All Zones Rule 7.16.3.2, 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.
- 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. 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.

v. For the purposes of (iii) and (iv) above, the Pressure Sewer System 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.

iv.vi. 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.

v.vi. 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.

Performance standard (iii) requires that wastewater in Pressure Sewer Areas is reticulated with a Pressure Sewer System.

Performance standard (iv) allows for Pressure Sewer Systems to be utilized outside of Pressure Sewer Areas, provided the developer can demonstrate it is feasible. The Council will take geotechnical, hydraulic, engineering and safety considerations into account when considering the use of PSS outside of Pressure Sewer Areas.

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

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

(e) **Esplanade Reserves**

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

(f) **Buffer Screen Planting within Setback Areas**

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

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

(g) **Roads**

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

(h) **Earthworks**

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

### 7.8.2 RULES: RESTRICTED DISCRETIONARY ACTIVITIES

**R7.8.2.1 Restricted Discretionary Activities**

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

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

- The size, shape and arrangement of lots, cross lease areas, units and access.
- In the North East Industrial Zone, the ability for sites to be able to accommodate activities that comply with all of the relevant performance standards for that zone.
- In the North East Industrial Zone, with reference to earthworks, the potential effects on:
  - Landscape and visual impact
  - Effects on adjoining properties including amenity values
- Impact on flood plains and flood flows
- Increase in hazard risk and effects on land stability
- Effects of erosion and sedimentation
- Effects on overland flow paths
- Effects on the National Grid

- In the North East Industrial Zone Extension Area:
  - Urban Design
  - Landscaping
  - Enhancement and management of surface water flows and overland flow paths
  - Integration of essential services
  - Natural hazards
  - Future development opportunities
  - Visual amenity
  - Effects on the capacity of Council infrastructure
  - Safe and efficient operation of the road network
  - Connectivity
  - Infrastructure and physical resources of regional and national significance
  - Hydraulic neutrality with regards to stormwater runoff

2. The Midhurst Street Industrial Area in addition to the matters above, the following:
   i. The extent to which the subdivision plan conforms with the Structure Plan for the Midhurst Street Industrial Area.
   ii. The extent to which the services are within public service corridors or can be conveniently accessed by the Palmerston North City Council.
   iii. The extent to which the subdivision provides for coherent and integrated internal roading network and roading and services sufficient to ensure the entire Midhurst Street Industrial Area is appropriately serviced, including provision for connectivity to other land.
   iv. The extent to which the subdivision provides for appropriate means of collection and disposal of stormwater likely to be generated following development of the entire Midhurst Street Industrial Area.
   v. The extent to which appropriate access is provided taking into account the access performance standards of R20.4.2 of the Land Transport Section, including connection to Kelvin Grove Road as required in R12.4.3(h)(iii).
   vi. The imposition of consent notices to inform future purchasers of constraints on use and development in the District Plan to protect the operational capability of the Palmerston North Airport. In addition, the imposition of consent notices to ensure amenity planting is established and maintained.
   vii. The extent to which the subdivision provides for retention of the ephemeral stream as an open swale and the extent that is designed and planted to improve biological processes and local amenity.
   viii. The extent to which the subdivision adequately maintains and enhances local amenity, provides for pedestrian access, street tree planting, amenity planting at the entrance from Kelvin Grove Road and provides amenity planting adjacent to the Linklater Block as shown in the Structure Plan.
ix. The extent to which the application provides for works and services to provide an intersection at the access point with Kelvin Grove Road as well as improvements to Kelvin Grove Road necessary to ensure traffic safety and efficiency is not adversely affected as a result of development of the entire Midhurst Street Industrial Area.

x. With regard to earthworks activities, the potential effects on

a) Landscape and visual impact
b) Effects on adjoining properties including amenity values
c) Impact on flood plains and flood flows
d) Increase in hazard risk and effects on land stability
e) Effects of erosion and sedimentation
f) Effects on overland flow paths

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

Performance Standards

a. All subdivision in the North East Industrial Zone Extension Area must provide (as part of the subdivision consent application) a Comprehensive Development Plan that details how the design, layout and servicing of the Area is in accordance with the North East Industrial Zone Structure Plan (Map 7.2). The Comprehensive Development Plan must describe the following:

i. A Context Plan:
   a) Describing the development context of neighbouring sites and the adjacent existing industrial area as a whole.
   b) Showing the arrangement of lots, activities, buildings, and public open space and landscape planting including that anticipated by the North East Industrial Zone Structure Plan (Map 7.2).

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

iii. A Development Scheme Plan, describing the proposed site planning and design. This will include the following:

a) The proposed layout and design
b) Allotments to be developed, their location and area
c) Indication of the intended activities and their location
d) Proposed access points to allotments
e) Any water course reserve areas, their proposed treatment and their potential to be integrated into an innovative and/or low-impact stormwater design
f) Location of on-site buffer screen landscaping
g) Location and type of street landscaping and street edge amenity planting treatments including footpaths, areas of planting, and integration with stormwater management
h) The use of on-site sustainable urban drainage systems and low impact design systems to manage the retention of stormwater
i) Infrastructural network servicing provision, including how the proposed infrastructure will provide for future staged development of the North East Industrial Zone Extension Area.
j) How the proposed road layout and design ensures connectivity to property and roads that have been developed or have the potential to be developed in the future.
k) Demonstration of how firefighting water supply is intended to be provided.

iv. Programme and time frame for development, including a staging plan.

v. An urban design statement to explain how the proposed subdivision design relates to the site, its surroundings, and how it creates a high amenity industrial area. The urban design statement shall include:

a) Design rationale, which provides the reasoning for the intended approach and describes how the relevant issues identified have been responded to.
b) How the proposed subdivision gives effect to the North East Industrial Zone Structure Plan (Map 7.2).
c) How the planning and design of the proposed subdivision relates to the relevant objectives and policies of the District Plan.

vi. A statement describing whether the owner/operator of the gas transmission pipeline have been consulted regarding the protection of the gas transmission corridor and what progress has been made in securing required approvals where relevant.

**Explanation**

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

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

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

There is no one optimal way of scoping and presenting the information for a Comprehensive Development Plan. The amount of information and type of approach will relate to the size and complexity of the subdivision. Confirmation of relevant issues and precise information requirements should be discussed with the PNCC consents team early in the Comprehensive Development Plan formulation process.

**Determination Clause**

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

**Assessment Criteria: North East Industrial Zone Extension Area**

a) **Subdivision design and layout**

   i. The extent to which the design and layout of the subdivision gives effect to the North East Industrial Zone Structure Plan (Map 7.2).

   ii. How the proposed subdivision, road layout and design relates to adjoining sites and areas and whether it ensures connectivity to property and roads that have been developed or have the potential to be developed in the future.

   iii. The extent to which the subdivision and proposed road layout integrates with the existing North East Industrial Zone.

   iv. The continuity and coherence of street trees, public open space landscaping, and the extent to which they have been integrated into the design and layout of the subdivision and the wider industrial area.

   v. The extent to which the proposed subdivision incorporates and utilises identified water course reserves for stormwater management and as a design feature which provides increased amenity within the industrial area.

   vi. Whether proposed stormwater detention/retention measures ensure hydraulic neutrality is achieved and that there is no increase in stormwater effects on surrounding areas.

   vii. The extent to which paving, street landscaping and lighting treatments give effect to the hierarchy of street types established by the Structure Plan, and establish a consistent treatment along any street.

   viii. The extent to which site contouring complements important natural features, while at the same time providing as appropriate for enhanced amenity and site functionality including stormwater management and noise control.

   ix. The extent to which the proposed subdivision is capable of effectively and efficiently accommodating development that meets the objectives and policies of the North East Industrial Zone including those policies specific to the North East Industrial Zone Extension Area.

   x. The extent which deviations from the Structure Plan will result in an alternative coordinated, coherent and high quality outcome that will satisfy its objectives to an equal or greater extent.

   xi. The extent to which the proposed subdivision provides for the ongoing operation and maintenance of the gas transmission pipeline.
xii. The extent to which any earthworks associated with the subdivision have safeguards in place to ensure that adequate protection of the gas transmission pipeline is achieved.

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

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

d) Natural Hazards
   i. The extent to which natural hazard risks are identified and the effects are avoided or mitigated.
   ii. The extent to which subdivision considers and implements the findings of the geotechnical report to address land stability issues and recommended mitigation measures.
   iii. The effect any earthworks will have on natural hazard risk and/or land stability, including effects on overland flow paths, and sedimentation.
   iv. The extent to which flood hazard avoidance and stormwater management is provided to ensure the protection of development in a 0.5% Annual Exceedence 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 Roading 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.

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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
   i. All essential services must be available for connection within 30 metres of the nearest point of the land being subdivided.
   ii. Wastewater in Pressure Sewer Areas shall be reticulated with a Pressure Sewer System.
   iii. 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.
   iv. For the purposes of (iii) and (iv) above, the Pressure Sewer System 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.
NOTE TO PLAN USERS

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

(b) Esplanade Reserves

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

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

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

(d) Lots in the Midhurst Street Industrial Area

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

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

Council will restrict its discretion to the following matters

- the ability for Council to maintain and access the pipe in the future.
- the cumulative effect of additional connections into the main trunk services.
- the integration of the services into the existing City network and its effect on efficient and orderly development within urban areas.

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.


c) The ability for sites to be able to accommodate activities that comply with all of the relevant performance standards of R12.8.1.

d) The degree to which the design and layout of the subdivision is in accordance with Structure Plan 12.1 in respect of:

i. Provision, design and location of the identified local roading network

ii. Establishment of Planted Buffer Areas.
iii. The design and level of flood protection.
iv. The design of stop-banks or engineered floodwalls established as part of the required flood protection measures.
v. The re-vegetation of the adjoining remnant river terrace and visual effects associated with the altered elevation of the remnant river terrace.
vi. The approval of New Zealand Transport Agency as the Road Controlling Authority for Napier Road (State Highway 3).
vii. Location and design of access onto Napier Road (State Highway 3).
viii. Access to the stormwater detention pond.

Performance Standards for restricted Discretionary Activities under R7.8.2.3

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

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

(c) Access
Compliance with R7.8.1.1(c).

(d) Essential Services
i. All essential services shall 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.
v. For the purposes of (iii) and (iv) above, the Pressure Sewer System 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.

(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 exceedence 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 exceedence 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

R7.8.3.1 Discretionary Activities

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

R7.8.3.2 Any Subdivision in the North East Industrial Zone that seeks access to Richardson’s Line, Setters Line or Roberts Line

Any subdivision in the North East Industrial Zone that creates allotments seeking access to Richardson’s 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.

R7.8.3.3 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 R7.9.1.1(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).


7.8.4 RULES: NON-COMPLYING ACTIVITIES

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

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

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

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

### 7.9 Institutional Zone

#### 7.9.1 Rules: Controlled Activities

**R7.9.1.1 Controlled Activities**

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

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

#### 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 areas 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.

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.

v. For the purposes of (iii) and (iv) above, the Pressure Sewer System boundary kit and the pressure sewer pipe network located in public service corridors must be installed at the time of the...
(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.

**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.

### 7.16 **All Zones**

**NOTES TO PLAN USERS**

It is advised that the applicant contact the appropriate power, telecommunication and gas companies to determine the feasibility of connecting to their services.

### 7.16.1 **RULES: CONTROLLED ACTIVITIES**

**R7.16.1.1 Any Subdivision for the purpose of accommodating any network utility where the maximum area of the allotment does not exceed 200m² is a controlled Activity in respect of:**

- The size, shape and arrangement of the lot and access.
- Those matters described in Sections 106, 108 and 220 of the Resource Management Act 1991, provided the network utility concerned is a Permitted Activity or resource consent has been granted.

### 7.16.2 **RULES: RESTRICTED DISCRETIONARY ACTIVITIES**

**R7.16.2.1 Any Subdivision within a Flood Prone Area identified on the Planning Maps is a Restricted Discretionary Activity, with regard to:**

- Flood Hazard Avoidance or Mitigation
• Functional Necessity
• The matters described in sections 108 and 220 of the Resource Management Act 1991
• Effects on adjoining properties from the displacement of floodwaters

Provided it complies with the following Performance Standard:

**Performance Standard**

(a) **Flood Hazard Avoidance or Mitigation**

Compliance with Restricted Discretionary Activity Performance Standards of R22.8.2.1(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**

1. The extent to which flood hazard avoidance has been investigated as a preference to flood hazard mitigation;
2. 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;
3. The extent to which adverse effects on existing structures and activities are avoided or mitigated;
4. The likelihood and consequences of the proposed flood hazard mitigation measures failing;
5. 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;
6. 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**

1. The extent to which alternative locations for new occupied structures or activities have been considered;
2. The extent to which new habitable structures or activities cannot be reasonably located in an alternative location;
3. 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 Appendix 20A 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.

R7.16.3.2 Any subdivision in a Pressure Sewer Area that does not provide wastewater reticulation with a Pressure Sewer System shall be a non-complying activity.
Appendix 2: Assessing the Appropriateness of the Objectives of Proposed Plan Change D

Operative objective 3 of Section 7 Subdivision is proposed to be amended to ensure pressure sewer systems are not enabled in the Rural environment of the City.

<table>
<thead>
<tr>
<th>Text</th>
<th>Proposed Objective</th>
</tr>
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<tbody>
<tr>
<td>Objective 3</td>
<td>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:</td>
</tr>
<tr>
<td></td>
<td>[...]</td>
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<tr>
<td></td>
<td>• 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</td>
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<tr>
<td></td>
<td>[...]</td>
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<tr>
<th>Relevance</th>
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<tbody>
<tr>
<td>Directly related to resource management issue?</td>
<td>Yes, this is related to the resource management issue, which is identified as Proposed Issue 9 in the Subdivision section of the Plan. This issue makes it clear that the provision of PSS is limited to the urban environment of the City.</td>
</tr>
<tr>
<td></td>
<td>Some parts of the urban area of 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.</td>
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<td></td>
<td>It is also directly related to City View objectives 7 and 8, and Resource Management Issues 1, 3 and 5 of the Subdivision section of the Plan.</td>
</tr>
<tr>
<td>Will achieve one or more aspects of the purpose and principles of the RMA?</td>
<td>Yes. As proposed, Objective 3 will contribute to protecting the character of the rural environment, and minimise the impact of rural development on the public utility network.</td>
</tr>
<tr>
<td>Relevant to Māori environmental issues?</td>
<td>The proposed amendment to the objective is not inconsistent with Māori environmental values.</td>
</tr>
<tr>
<td>Relevant to statutory functions or to give effect to another plan or policy (i.e., NPS, RPS)?</td>
<td>The proposed objective is relevant to the Council’s statutory functions under s31(a) of the RMA. It is also consistent with the Council’s obligations under the RPS, which identifies public or community sewage treatment plants and associated reticulation and disposal systems as a physical resource of regional importance in Policy 3-1 (a)(viii) of the Horizons One Plan. The proposed objective and associated provisions is also consistent with the direction of Policy 3-2 of the One Plan, which seeks to protect regionally important infrastructure from the adverse effects of the use and development of land, and also with the requirement to ensure the adverse effects of regionally important infrastructure on the environment is managed.</td>
</tr>
<tr>
<td>Usefulness</td>
<td></td>
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<tr>
<td>Will effectively guide decision-making?</td>
<td>The proposed amendment to the objective ensures that decision makers can ensure that rural development is appropriately serviced with on site systems and not by means of pressure sewer systems.</td>
</tr>
<tr>
<td>Meets sound principles for writing objectives?</td>
<td>Yes, the objective states what needs to be considered and the structure of the provisions for servicing rural allotments ensures that it is understood where Pressure Sewer Systems are not appropriate.</td>
</tr>
<tr>
<td>Consistent with other objectives?</td>
<td>Yes, this objective is consistent with other objectives in the Plan.</td>
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<tr>
<td>Achievability</td>
<td></td>
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<td>Will it be clear when the objective has been achieved in the future? Is the objective measureable and how would its achievement be measured?</td>
<td>The implementation of the objective is ongoing.</td>
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<tr>
<td>Question</td>
<td>Answer</td>
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<tr>
<td>Is it expected that the objective will be achieved within the life of the Plan or is it an aspirational objective that will be achieved sometime in the future?</td>
<td>Yes, it is expected that the implementation of the provisions will occur in the lifetime of the current plan.</td>
</tr>
<tr>
<td>Does the council have the functions, powers, and policy tools to ensure that they can be achieved? Can you describe them?</td>
<td>Yes. As explained in this s32 report, the proposed plan change is one of a suite of measures able to be implemented by Council to ensure PSS are installed in Pressure Sewer Areas, enabled in other urban areas, and not provided for in the rural environment.</td>
</tr>
<tr>
<td>What other parties can the Council realistically expect to influence to contribute to this outcome?</td>
<td>The Council can influence developers to ensure they understand the implications of the proposed provisions and the reasons for them. The Council has already been in consultation with the development community in respect of the draft Council-wide policy on PSS in Pressure Sewer Areas.</td>
</tr>
<tr>
<td>What risks have been identified in respect of outcomes?</td>
<td>There is a small risk that some developers will push against the requirement for on site wastewater servicing in the rural environment. However, the Plan provides a clear regulatory pathway with which to make decisions that are consistent with the overall policy framework and intentions of the Council in respect of PSS in Pressure Sewer Areas.</td>
</tr>
<tr>
<td><strong>Reasonableness</strong></td>
<td></td>
</tr>
<tr>
<td>Does the objective seek an outcome that would have greater benefits either environmentally or economically/socially compared with the costs necessary to achieve it?</td>
<td>Yes. The benefits to the City include greater certainty regarding infrastructure requirements in specific areas of the City. This in turn will support and sustain growth in appropriate areas of the City and provide for the installation of infrastructure in parts of the City that will be environmentally and cost effective and efficient for ratepayers and developers. These outweigh the costs, which are largely focused on pursuing and engaging with the Schedule 1 process.</td>
</tr>
<tr>
<td>Who is likely to be most affected by achieving the objective and what are the implications for them?</td>
<td>The achievement of the objective will mostly affect developers and landowners. In addition to the provisions in the Plan Change, the Council will support the installation of PSS infrastructure through technical advice and guidance provided in the Council-wide PSS policy, the Engineering Code of Practice and legal instruments such as consent notices on titles.</td>
</tr>
</tbody>
</table>
Appendix 3: Memorandum to Planning and Strategy Committee, 3 December 2018, by Robert van Bentum, Transport and Infrastructure Manager
MEMORANDUM

TO: Planning and Strategy Committee

MEETING DATE: 3 December 2018

TITLE: Wastewater Pressure Sewer Policy

DATE: 6 November 2018

PRESENTED BY: Robert van Bentum, Transport & Infrastructure Manager, Infrastructure

APPROVED BY: Ray Swadel, Acting Chief Infrastructure Officer

RECOMMENDATION(S) TO COUNCIL

1. That the Palmerston North City Council Pressure Sewer Systems Policy, as attached to the memorandum dated 6 November 2018 and titled `Wastewater Pressure Sewer Policy' be adopted with the suggested amendments.

1. ISSUE

1.1. Officers are seeking approval for the adoption of the Pressure Sewer Policy following consultation and some minor amendments.

1.2. The draft Policy was presented to this Committee on 1 October 2018. That report outlined the background to and benefits of the implementation of a pressure sewer systems policy. The Committee and Council approved targeted consultation on the draft policy. The period of consultation has been completed in accordance with the timeline set out and feedback has been received. The feedback has been assessed and some minor changes made to the Policy. Officers are seeking approval for adoption of the final version of the policy.

2. BACKGROUND

1.3. A pressure sewer policy has been prepared to support implementation of pressure sewer networks within the City by ensuring a consistent quality of installation which meet minimum performance standards and in a way that minimises future maintenance costs and risks to Council.
1.4. In the absence of any policy, it is difficult for staff to ensure infrastructure is installed consistently to meet minimum performance standards and in a way that minimises future maintenance costs and risks to Council.

1.5. The wider benefits of installing pressure sewer systems in new growth areas on the fringe of the city were detailed in the earlier report. The policy will enable Council to require the implementation of pressure sewer systems in a consistent and integrated manner.

3. CONSULTATION AND ENGAGEMENT PROCESS

3.1 The consultation process undertaken for the policy was as set out in the October 2018 report and included a consultation workshop, letters, email communication all supported by a dedicated consultation area on the Council website.

3.2 As detailed in the previous report Council officers assessed the relevant stakeholders for the Policy and determined these to comprise:

- Landowners/developers in the areas where Council will specify these systems
- Agents working for developers or landowners
- Builders and plumbers/drainlayers
- Suppliers of pressure sewer systems

3.3 A specific page was set up on the PNCC web page about the draft policy (WWW.PNCC.GOV.T/NZ/PRESSURESEWER). The page included the following:

- General information about the pressure sewer systems and the draft Policy
- The draft Policy
- The draft design guidelines (which will be linked the Engineering Standards for Land Development)
- Maps of the proposed Pressure Sewer Areas
- The form to provide feedback on the Policy

3.4 Letters were sent to all recorded property owners located in the proposed Pressure Sewer Areas, agents working for developers or landowners as well as builders and plumbers/drainlayers on 9 October 2018. The letters invited the recipients to a workshop about the Policy, to visit the Policy webpage and/or phone Council about the policy.
3.5 Suppliers of pressure sewer systems were contacted directly about the process, and asked if they wished to attend the workshop.

3.6 Rangitane were contacted for their feedback following on from the regular Council Bimonthly liaison meeting.

3.7 On 11 October 2018 an advertisement appeared in the Manawatu Guardian inviting anyone interested to attend a workshop on the Policy. The advertisement also invited people to visit the Policy webpage and/or phone Council about the Policy.

3.8 The information workshop about the pressure sewer was held on 17 October 2018. It was attended by 18 people, comprising a mix of property owners, developers/developer’s agents and suppliers.

3.9 Over the feedback period Council staff fielded six phone calls about the draft Policy.

3.10 The preferred method of feedback was via the electronic form on the website. This feedback channel was promoted at the workshop and during phone calls. The form sought specific feedback on the following:

- Support for the introduction of the Policy
- The attractiveness of the installation of pressure sewer systems to the stakeholders
- Any practical difficulties with the Policy perceived by the stakeholders

3.11 Feedback was also noted during the workshop or any phone calls as appropriate. Feedback was also accepted via email from parties who had been directly approached (Rangitane, suppliers).

3.12 The engagement period finished and the opportunity to provide feedback closed on 2 November 2018. A total of three (3) submissions were received via the web form.

4. **SUMMARY OF FEEDBACK**

4.1 Of the three written submissions received, two were in support of the introduction of the Policy while the third was against.

4.2 Key matters raised by the submissions:

- support the Policy as pressure sewer is an efficient way to provide a sewer service to future development areas and areas with specific challenges
- do not support the Policy as they are happy with their existing on-site sewer infrastructure, and concerned at the impact of the initial capital and ongoing operational costs
• concerned to understand whether Council would be funding the extension of the wastewater system (in City West)

• Foresaw practical difficulties with the introduction of the Policy, given the ongoing operational costs to be borne by the property owners.

• Concerns about potential issues with ownership of infrastructure in private communal accessways.

4.3 There was a specific written submission from Kingsdale Park Limited. The submission advocated for Council to use its proposed discretion under the Policy to take over ownership of the on-property pressure sewer equipment in the development. At present the mains and laterals up to the boundary kit are vested with Council, while the on-property equipment remains in private ownership.

4.4 Phone enquiries provided no specific feedback for or against the Policy as they were mostly requests for clarification about specific details of the Policy and its proposed implementation.

4.5 Rangitane generally supported the Policy, but questioned the potential increase in overall energy use with the pressure sewer system compared to traditional gravity systems.

4.6 Feedback from the suppliers mostly concerned technical issues relating to the associated design standards as opposed to the Policy itself. One of the suppliers stated their systems could work with waste disposal units, contrary to the Policy.

5. **CHANGES TO AND FINALISATION OF THE POLICY**

5.1 As a result of the consultation and feedback received a number of minor changes are proposed to the Policy. These are summarised in Table 1 below.

**Table 1. Summary of Proposed Changes to the Pressure Sewer Policy**

<table>
<thead>
<tr>
<th>Change identified</th>
<th>Identified where</th>
<th>Change to section</th>
<th>Change concept</th>
<th>Reason/advantages of change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Definition of when PNCC will take over on-property equipment</td>
<td>Workshop</td>
<td>5.2</td>
<td>Add wording that this may be done where there is wider network benefit for city, but maintain overall discretion.</td>
<td>Provision of clarity</td>
</tr>
<tr>
<td>Introduction of two or three strikes policy for damage caused by residents</td>
<td>Supplier feedback</td>
<td>5.3.3</td>
<td>Set this up in bylaw and refer to it.</td>
<td>Instead of resident being charged first time they are warned the first time with a letter, then charged for a repeat offence.</td>
</tr>
<tr>
<td>One unit per title</td>
<td>DP change discussions</td>
<td>5.4.1</td>
<td>Delete</td>
<td>Contradicts combination of DP and the other</td>
</tr>
</tbody>
</table>
5.4.2 Instead of stating policy refer to design guidelines and back up in the by law. Landscaping covered by requirement for the chamber not be covered in any way should be in the design guidelines. As should the boundary kit location requirements.

Typical system diagram shows depth of main approx. 2.5m, but the design guideline states 1.5m deep max cover.

Consistency with way other items are addressed in the Policy.

Table 2. Summary of Feedback Proposed Changes to the Pressure Sewer Policy

<table>
<thead>
<tr>
<th>Proposal</th>
<th>Identified where</th>
<th>Background</th>
<th>Reason for no change to policy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ownership of pipes in ROWs</td>
<td>Web submission</td>
<td>Review whether this is adequately covered</td>
<td>No change to current practice which is to request an easement in favour of PNCC. If the pipe is private then no easement requirement. No requirement in the policy.</td>
</tr>
<tr>
<td>Clarify when the policy is to be implemented</td>
<td>General flavour of feedback</td>
<td>Some feedback was phrased as if it assumed that owners would be forced to put in the systems immediately and/or PNCC might pay for this.</td>
<td>Covered by the statement that the main infrastructure will be constructed at the time of subdivision. The policy already details responsibility and cost apportionment.</td>
</tr>
<tr>
<td>Overall increased total energy use in developments served by pressure sewer</td>
<td>Rangitane</td>
<td>Covered in District Plan – Residential Zone Section (10), Objective 3: Housing development is energy efficient, resilient and environmentally sustainable</td>
<td>Covered in District Plan</td>
</tr>
<tr>
<td>EcoOne systems can cope with waste disposal units</td>
<td>Supplier feedback</td>
<td>Review whether this requires any change</td>
<td>The ability of the units to cope does not change the driver for excluding food waste</td>
</tr>
</tbody>
</table>
6. OTHER ISSUES FROM FEEDBACK

6.1 The feedback from Kingsdale Park Limited effectively requests Council use the proposed discretion in the Policy to take ownership of the on-property pressure sewer equipment in the Kingsdale Park development. Although the submission does not specifically state this, representatives from the organisation attended the workshop and subsequently signalled their intention to request Council to take over ownership.

6.2 The submission sought confirmation of whether Council would retrospectively issue consent notices on properties in developments where pressure sewer systems have already been approved to serve the development. It then goes on to provide reasoning as the benefits of the pressure sewer system located at Kingsdale Park.

6.3 Consent notices cannot be respectively issued. In terms of the Policy the decision on whether Council accepts responsibility for on-property equipment outside of the Pressure Sewer Areas will be made at the sub-division stage. This would only occur in response to a specific proposal from a developer that addresses the criteria in the Policy.

6.4 The Policy provides PNCC with the discretion to take responsibility for ownership of on-property equipment retrospectively. However, Officers consider there to be no compelling reason for this to occur for the following reason:

- The pressure system installed in Kingsdale Park was the solution chosen to provide wastewater services to facilitate re-zoning of rural land. There was and still is no clear wider benefit to the community of Palmerston North City from PNCC taking over ownership of the on-property equipment.

7. NEXT STEPS

7.1 Following confirmation of the decision on the adoption of the final Policy, those who provided feedback will be advised of the outcome of their feedback.

8. SUPPORTING DOCUMENTATION FOR POLICY ADOPTION

8.1 To ensure effective implementation of any adopted Policy, updates and changes to a range of other Council documents are required along with confirmation of final version of several new documents and processes as follows:

- Engineering Standards for Land Development: Required to detail the specific design and performance requirements specific for pressure sewer systems.

- Council Three Waters Service Connections Approval System: The existing approved contractors’ system for service connections will be expanded to include approval of contractors for the installation of pressure sewer system components.
• New process for approval of suppliers of pressure sewer systems for Council.

• New homeowner’s guide for property owners and residents of properties that are served by a pressure system.

9. DISTRICT PLAN AND BYLAW AMENDMENTS

9.1 To create a regulatory framework which is consistent with and supportive of the Policy several changes to the District Plan and Wastewater Bylaw have been identified as necessary.

9.2 The District Plan will need to be amended to allow more specifically for the installation of PSS systems, to specify the areas where Council requires that they are installed and ensure that traditional gravity alternatives are not allowed. Initial work has commenced on a specific plan change for this.

9.3 Until the relevant District Plan change is operative Council officers will utilise the discretion currently allowed by the existing Plan to ensure that pressure sewers are installed in the areas required by Council. Officers will ensure this occurs by utilising standard conditions of consent for subdivisions that are to be served by pressure sewer systems, including a consent notice that will detail:

• the requirement for the installation of the on-property equipment at the time of building consent

• on-going requirements of the property owner in relation to the operation and maintenance of the pressure sewer system and equipment.

9.4 The Wastewater Bylaw will need to be amended to align with the Policy and provide support to the Policy. The changes will be completed as part of the upcoming review of the Wastewater Bylaw.

10. COMPLIANCE AND ADMINISTRATION

<table>
<thead>
<tr>
<th>Does the Committee have delegated authority to decide?</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>If Yes quote relevant clause(s) from Delegations Manual</td>
<td>&lt;Enter clause&gt;</td>
</tr>
<tr>
<td>Are the decisions significant?</td>
<td>No</td>
</tr>
<tr>
<td>If they are significant do they affect land or a body of water?</td>
<td>No</td>
</tr>
<tr>
<td>Can this decision only be made through a 10 Year Plan?</td>
<td>No</td>
</tr>
<tr>
<td>Does this decision require consultation through the Special Consultative procedure?</td>
<td>No</td>
</tr>
<tr>
<td>Is there funding in the current Annual Plan for these actions?</td>
<td>Yes</td>
</tr>
</tbody>
</table>
**ITEM 9**

<table>
<thead>
<tr>
<th>Are the recommendations inconsistent with any of Council’s policies or plans?</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>The development of the Policy, supporting processes and the changes to the related the associated Council documents will be funded by operational budgets.</td>
<td></td>
</tr>
<tr>
<td>The recommendations contribute to Goal 4: An Eco City</td>
<td></td>
</tr>
<tr>
<td>The recommendations contribute to the outcomes of the Eco City Strategy</td>
<td></td>
</tr>
<tr>
<td>The recommendations contribute to the achievement of action/actions in the Three Waters Plan</td>
<td></td>
</tr>
<tr>
<td>The actions include:</td>
<td></td>
</tr>
<tr>
<td>A pressure sewer policy is developed to support wastewater bylaw reviews to mandate pressure sewer implementation in NEIZ and City West zones</td>
<td></td>
</tr>
<tr>
<td>Provide for the safe collection, treatment and disposal of the city’s wastewater</td>
<td></td>
</tr>
<tr>
<td>Provide infrastructure for growth</td>
<td></td>
</tr>
<tr>
<td><strong>Contribution to strategic direction</strong></td>
<td><strong>This Policy contributes to the goal of being an Eco City, as well as an innovative and growing City. It supports the Eco City and City Development Strategies by creating a framework to allow the installation of pressure sewer systems in Palmerston North City. This will enable areas of the City, including designated growth areas that would be difficult to service with a conventional gravity sewer system, to be more cost effectively connected to the sewer reticulation. It enables Council to provide more resilient sewerage services at a lower overall cost to the City when compared with traditional gravity systems. It will allow Council to realise significant reductions in peak flow enabling deferral of major network capacity upgrades and it provides distributed sewage storage in the network in the event of a service outage.</strong></td>
</tr>
</tbody>
</table>

**ATTACHMENTS**

1. Feedback on Draft Pressure Sewer System Policy
2. Final Pressure Sewer System Policy (including changes from draft)
<table>
<thead>
<tr>
<th>Name</th>
<th>Do you support the introduction of a pressure sewer systems policy?</th>
<th>Please tell us why</th>
<th>Do you envisage any practical difficulties associated with the proposed introduction of the pressure sewer systems policy?</th>
<th>Please tell us what you think those difficulties would be.</th>
<th>How likely are you to recommend or require the installation of pressure sewer systems for developments outside of the proposed Council specified areas?</th>
<th>Please tell us why you selected that answer.</th>
<th>In which group do you classify yourself?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greg McVicar</td>
<td>No</td>
<td>We are happy with what we have. Insufficient time to read document and work out what the Council is proposing. Does council propose to extend their waste water system to the boundaries of each property at their cost? We are continuing to read the proposed policy and collect some technical details on the pressure sewer system. Please include us in all future discussions relating to the proposed pressure sewer system and any proposed District Plan changes.</td>
<td>Yes</td>
<td>Cost and future maintenance</td>
<td>1</td>
<td>Cost and Maintenance and possible Council remote control</td>
<td>Landowner in proposed mandatory pressure sewer systems area</td>
</tr>
<tr>
<td>Kingsdale Park Limited (Murray Gus)</td>
<td>Yes</td>
<td>A policy for pressure sewer systems is supported because these systems are efficient and appropriate in areas of the city's development. They are likely to be used for more future areas of development within the city boundary, and consistency and certainty of their efficient use and maintenance would logically be managed by PKNC. A policy will achieve this with certainty.</td>
<td>Yes</td>
<td>The policy appears silent on the issue of infrastructure in RCH's with respect to PKNC's responsibility. Easements created would appear logical in favour of PKNC (similar to power supply easements). Another issue is the management/ responsibility of asset (septic tank and electronics) currently installed on private property, prior to this policy. Would PKNC retrospectively issue a consent notice to bring these existing situations under total PKNC management as proposed in the policy?</td>
<td>5</td>
<td>Kingsdale Park was granted consent in August 2008 for the development of a further 118 residential lifestyle sections in addition to the existing 135. 20 individual pressure sewerage units are connected to PKNC's sewerage networks, and another 20 sections are currently being physically developed, including their pressure sewerage units. A further 78 sections will be developed in the near future in addition to these. Thus a policy is very important given the past, immediate and future installations of pressure sewerage units by Kingsdale Park Limited and the aim of the policy is to provide guidance for the provision of waste water services ... that are, or may be in the future serviced by pressure sewerage services. Kingsdale Park was an early adopter of Pressure sewerage systems which dovetailed with its company ethos of environmental principles and practices. The strategic context of the policy is &quot;to contribute to the goal of being an eco city, as well as an innovative and growing city&quot;. The Kingsdale Park development mirrors and typifies this policy goal. The off site removal of sewerage from Kingsdale Park's environmental residential lifestyle sections is appreciated by the residents both current and future, and is definitely viewed as a community benefit. There are no overloaded clay soil effluent systems, with associated foul odours and environment degradation in the Kingsdale Park development, as a result of this.</td>
<td>Developer or developer's agent</td>
</tr>
<tr>
<td>Peter Hurdle</td>
<td>Yes</td>
<td>After reading all the data on pressure system it looks as though it’s the most effective and efficient way to deal with waste water and sewage disposal in that particular area due to the liquefaction etc.</td>
<td>Yes</td>
<td>There maybe some opposition to it as there will be extra costs involved as opposed to a gravity system as well as the ongoing electricity and maintenance costs.</td>
<td>3</td>
<td>Well not sure really but I guess if these pressure systems are being recommended to be used in these areas by Council and Engineers etc it must be better for the environment and the long term future of the City in general.</td>
<td>Landowner in proposed mandatory pressure sewer systems area</td>
</tr>
</tbody>
</table>
Appendix 4: Memorandum to Helen Churton from Nicholas Jessen and Lester Houghton, CR Law
MEMORANDUM

TO: Helen Churton
FROM: Nicholas Jessen/Lester Houghton
DATE: 10 September 2018
SUBJECT: Pressure Sewer Systems

Summary of recommendations

1. Thank you for your instruction in this matter. We have been asked to provide recommendations and responses in relation to various questions concerning the Council’s intended roll-out of Pressure Sewer Systems in certain areas of Palmerston North.

2. The following summarises our recommendations:

   (a) The Council should review issues, objectives, policies, rules, and assessment criteria in forthcoming plan changes to clearly signal to the development community that Pressure Sewer Systems are the preferred means of sewage disposal in identified areas. Directive Policy and assessment criteria will steer developers to prepare subdivision accordingly and will provide decision-makers with sufficient discretion to require Pressure Sewer Systems and impose appropriate conditions through subdivision consent decision-making. Provisions should be specifically applicable to the identified areas rather than city-wide application;

   (b) Amendments to the Council’s Engineering Standards for Land Development to provide for Pressure Sewer Systems should include a note that limits the use of the design to Pressure Sewer areas or where otherwise permitted by resource consent. Conditions of subdivision consent should be specific as to whether gravity reticulated or Pressure Sewer Systems are required for subdivision;

   (c) We have no issue with the proposed changes to the Wastewater Bylaw. We understand that the bylaw is intended to be complementary to other mechanisms. We suggest Council consider expanding the changes to the Bylaw so as to specify conditions in relation to owners’ responsibilities. This may avoid the need for agreements with trade premises or other users.

   (d) We have reviewed the draft Agreement. We consider that the elements of the Agreement can be captured within ongoing subdivision consent conditions and consent notices such as to bind all the subsequent owners of the land and this will provide a more streamlined approach than individual agreements. We have
prepared and included in this advice a draft condition for your consideration to
demonstrate how this could be achieved.

District Plan matters

3. The Council’s power to compel the installation of Pressure Sewer Systems through
subdivision relies on the Council’s ability to impose conditions on subdivision consents.
Although Pressure Sewer Systems may be generally welcomed by developers in identified
areas, it will be appropriate in any case that the District Plan clearly articulates the
requirement and provides policy guidance that can be relied on by decision makers when
imposing conditions.

4. District Plan provisions should be reviewed to ensure that there is sufficient clarity and
direction in the statement of issues, objectives, policies and methods to enable a decision-
maker on subdivision applications to require Pressure Sewer Systems. Language that is
neutral as to servicing requirements, for example “…where feasible”, are generally broad but
do not provide clarity that the pressure sewer systems will be required in specified areas or
that gravity reticulation is not available. District Plan provisions that clearly articulate
expectations are also advisable to facilitate consultations between the developer and the
Council in the subdivision design/ pre-application stage.

5. In relation to the City-West growth area and Napier Road, District Plan provisions can be
developed that are targeted to the particular areas as and when plan changes progress. It
will be appropriate for the Policy and Strategy team to develop balanced provisions as these
opportunities through future plan changes (we understand there are “several” possible plan
change processes on foot).

6. The subdivision provisions of the North East Industrial Zone Extension Area have recently
been made operative. It will be appropriate as part of one of the aforementioned plan
change processes to consider whether amendment is required to subdivision provisions in
Section 7.9 of the District Plan. For example, performance standard (d) of rule 7.9.1.1;
development scheme plan requirements under rule 7.9.2.1; performance standard (a)(iii);
and assessment criteria (c) relating to the integration of essential services. Also consider
policy 5.1.

7. Review and amendment of provisions referred to at [6] above is not urgent. We are satisfied
that there is sufficient breadth in the Council’s existing discretion for the North East
Industrial Zone Extension Area that would enable the Council to work with developers at
pre-application stage and, if necessary, require pressure sewer systems through subdivision.

8. It is recognised that pressure sewer areas will be identified in the Wastewater Bylaw
following review. We suggest that cross-references from the District Plan to the Bylaw areas
should be avoided, in favour of specific identification of those areas in the District Plan. This
can be easily achieved, by linking provisions to structure plan areas, which we understand
will align to the pressure waste areas. This is already the case in relation to the North East
Industrial Zone Extension Area.

9. It is understood that the Council will not favour Pressure Sewer Systems in areas outside of
identified Pressure Sewer areas unless compelling evidence is provided that the approach is
feasible based on geotechnical, hydraulic, financial, environmental, and safety considerations. This more restrictive approach will also require consideration of whether city-wide subdivision provisions require any amendment to articulate this expectation.

10. Because it is expected that careful analysis of the provision framework will be provided as part of those future processes, we do not wish to be prescriptive in our advice as to the specifics of amendments that should be advanced. We consider that a careful identification of provisions requiring amendment will be a relatively uncomplicated process for the Council’s strategy and policy team, working in conjunction with Infrastructure.

11. If there are additional obligations within the Wastewater Bylaw that are not captured within the District Plan (possibly a requirement for a permit under the Bylaw), then the Council might consider reasonable cross-referencing via advice notes in the District Plan.

**Engineering Standards**

12. It is understood that design and installation of Pressure Sewer Systems will be the responsibility of the property developers and shall be required to comply with (among other things) the Council’s Engineering Standards for Land Development (“ESLD”) which will be updated to provide for Pressure Sewer Systems. It is expected that compliance with the Council’s ESLD’s will be a requirement imposed by conditions on the subdivision consent.

13. We suggest that the Council should review template conditions for subdivision consent to ensure that where conditions require compliance with the ESLDs, the conditions are specific as to what specific sewer engineering outcome is required, in particular whether gravity reticulation or a Pressure Sewer System is required.

14. Review of the ESLD may also be appropriate to ensure that the document is clear that Pressure Sewer Systems are only available where specifically permitted or required by consent conditions or where the development is within the identified pressure sewer areas. Methods and policies in Chapter 7 (subdivision) of the District Plan link to the ESLDs as an illustration of good subdivision engineering practice, however in circumstances where the appropriateness of the Pressure Sewer System is area specific, the limitations of that option should be clearly identified in the ESLDs to avoid confusion.

**Wastewater Bylaw issues**

15. Any changes to the Wastewater Bylaw are complementary, rather than the primary means of advancing the Council’s Pressure Sewer Policy. The potential benefit of requiring Pressure Sewer Systems through the Bylaw is that it can fill any gaps in terms of what parts of the Policy will be difficult to achieve through subdivisions of land.

16. We generally support the proposed amendments to the Wastewater Policy as identified in your letter of instruction. We note that the amendments are by no means final, and detailed review of any bylaw amendment will be necessary. It will be important that the Wastewater Bylaw does not replicate the function of the subdivision consent process.

17. In addition to proposed amendments, it may be worth considering whether the Bylaw should require Pressure Sewer System users to obtain Permits under the Bylaw which can
identify property owners’ ongoing maintenance responsibilities. This should be considered in respect of both Trade Premises installations and the maintenance obligations of residential users within the identified areas. For example, this could be the most appropriate place to prohibit the discharge of listed items, and the use of domestic waste disposal systems.

18. There are no other obvious opportunities to compel Trade Premises owners or residential property owners to comply on an ongoing basis with general maintenance requirements to preserve the Council’s network. Maintenance “agreements” could prove to be an undue administrative burden without regulatory support, whereas obligations set out in the Bylaw or a permit issued under the Bylaw would be clear and enforceable, and more streamlined overall. Permits can be required before any discharge to the Council’s network is allowed.

Mechanical requirements relating to pressure sewage connections

19. Outlined below are certain matters that need to be covered to ensure appropriate conditions may be contained in Resource Consents (Subdivision) to cover off matters relating to Pressure Sewer Systems. We have considered the draft Agreement you have prepared and have attempted to provide a slightly more streamlined process utilising Section 221 of the Resource Management Act 1991. You will note this Section provides for the following:

(a) Section 221(1): Where a subdivision consent is granted subject to a condition to be complied with then on a continuing basis.

(b) Section 221(4)(b): Every consent shall be deemed to be a covenant running with the land when registered under the Land Transfer Act and shall, notwithstanding anything to the contrary in Section 105 of the Land Transfer Act 1952, bind all subsequent owners of the land. [Our emphasis added]

20. We consider it is possible to remove the need for separate agreements with each land owner and deal with the matter by way of a Consent Notice which, as referred to above, will bind all subsequent owners of the land.

21. A possible condition of subdivision resource consent is as follows:

“Condition

A Consent Notice shall be required by the Palmerston North City Council pursuant to Section 221 of the Resource Management Act 1991 and registered over the Certificates of Title for all Lots of the subdivision, such Consent Notice recording the following:

The Lot is to be connected to the Palmerston North City Council’s sewer using a Pressure Sewer System in accordance with all Palmerston North City Council standards and requirements. The Pressure Sewer System, constituting the following:

(a) Control/Alarm Panel;

(b) Pump Control Cable;

(c) Collection Tank/Pump Unit;
(d) Property Discharge Line;
(e) Electrical Cable;
(f) Electrical Distribution Box;
(g) House Drains;

(*the Pressure System Equipment), shall be installed on the Lot at the sole cost of the registered proprietor in accordance with Palmerston North City Council standards and requirements.

The Pressure System Equipment shall be installed and connected to the Palmerston North City Council’s sewer prior to:

(a) A final Code Compliance Certificate pursuant to the Building Act 2004 issuing in relation to any building constructed on the Lot; and
(b) The occupation of any habitable building constructed on the Lot.

The connection of the Pressure System Equipment to the Palmerston North City Council’s sewer and completion of the required quality assurance and as/built requirements of the Palmerston North City Council shall be deemed to constitute vesting of ownership (without compensation) of the Pressure System Equipment in the Palmerston North City Council.

The Palmerston North City Council, together with its employees, agents and contractors shall have access to the Lot for the purposes of inspecting, renewing, repairing, modifying, upgrading and replacing the Pressure System Equipment subject to reasonable notice of the intention to enter the Lot for the purpose having first been given. Should there be an emergency or the operation of the Pressure System Equipment is having or is likely to have immediate and damaging effect on the Palmerston North City Council’s sewer then access may be taken immediately without such reasonable notice.

In the event that the registered proprietor of the Lot requests the Palmerston North City Council to relocate the Pressure System Equipment, for example as a result of further building on the Lot, a subdivision or in the event that the registered proprietor requests the Palmerston North City Council to install a new Pressure System Equipment prior to the usable life of the existing Pressure System Equipment coming to an end, then in the event the Palmerston North City Council determines to do so, this shall be at the sole cost of the registered proprietor of the Lot.

In the event the registered proprietor of a Lot leases the Lot or enters into a tenancy agreement in relation to the Lot or otherwise gives occupation of the Lot to a party other than the registered proprietor then the registered proprietor shall ensure the occupier is aware of the obligations contained herein and all those relating to the Pressure Sewer Connection.

The registered proprietor of the Lot agrees, in relation to the Pressure Sewer System to be bound by and comply with the Palmerston North City Council’s standards and requirements in relation to Pressure Sewer Systems being the following Palmerston North City Council documents as may be varied, modified, updated or amended from time to time and which may be found on the Palmerston North City Council website – www.pncc.govt.nz.
o Pressure Sewer Policy;

o Pressure Sewer Systems Home Owners Guide as varied or amended from time to time or any policy, system, standard or by-law established in substitution thereof;

o Engineering Standards for Land Development as varied or amended from time to time or any policy, system, standard or by-law established in substitution thereof;

o Wastewater By-law and Administration Manual as varied or amended from time to time or any policy, system, standard or by-law established in substitution thereof;

o Tradewaste By-law and Administration Manual as varied or amended from time to time or any policy, system, standard or by-law established in substitution thereof.”

22. We look forward to receiving your comments in relation to the draft condition.

Palmerston North City Council Policy Document – Draft

23. We are generally satisfied with the content of the draft policy document. The policy document will require further amendment to reflect the approach that is ultimately settled on in relation to various matters identified within this advice. For example, section 5.3.3 provides that waste disposal systems will not be allowed but does not specify a legal mechanism. If the Council prefers to regulate the responsibilities of the users in Pressure Sewer areas, for example the responsibilities in 5.3.2, then the policy could be amended to reflect that.

24. We are uncertain what is meant by section 5.4.3 concerning “legal access”. We do not consider this paragraph is necessary.

Next steps

25. There are several pieces to the puzzle to ensure a successful roll-out. We are confident that the approach is sound, however it is clear that further refinement will be required as the procedural elements are developed in further detail.

26. We look forward to your feedback and working with you further on these issues.

Yours faithfully
CR LAW

Nicholas Jessen
Partner
njessen@crlaw.co.nz
### Appendix 5: Options Summary for Proposed Plan Change D

<table>
<thead>
<tr>
<th>Assessment Criteria</th>
<th>Option 1 – Status Quo (no change from the Operative Plan)</th>
<th>Option 2 – Identify Pressure Sewer Areas and provide specifically for them in the provisions of the District Plan</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Costs</strong></td>
<td>The Operative provisions do not clearly signal to the development community that pressure sewer systems (PSS) are the only means of sewage disposal in identified Pressure Sewer areas of the City. This could result in costs to the Council in seeking to secure required infrastructure through contentious planning processes and likewise to the development community.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>The status quo provisions are not consistent with the Council’s wider policy and strategy regarding pressure sewer systems in specified areas of the City.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>In the absence of District Plan provisions, it is difficult for regulatory decision makers to ensure appropriate infrastructure will installed consistently to meet minimum performance standards and in a way that minimises future maintenance costs and risks to Council.</td>
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<tr>
<td></td>
<td>Financial cost to Council to undertake the Plan Change.</td>
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<tr>
<td></td>
<td>Financial cost to development community and other interested parties in engaging in plan change process.</td>
<td></td>
</tr>
<tr>
<td>Council</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Community</td>
<td></td>
<td></td>
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<tr>
<td>Industry</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Environmental, Social, Economic, Cultural</td>
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<td></td>
</tr>
</tbody>
</table>
### Assessment Criteria

#### Option 1 – Status Quo (no change from the Operative Plan)

**Benefits**

(of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions)

- Council
- Community
- Industry
- Environmental, Social, Economic, Cultural

No change to the status quo plan, with which users are familiar.

#### Option 2 – Identify Pressure Sewer Areas and provide specifically for them in the provisions of the District Plan

PPC D will support the Council’s pressure sewer policy that has been prepared to support implementation of PSS networks within the City. These measures will ensure a consistent quality of installation which meet minimum performance standards and in a way that minimises future maintenance costs and risks to Council.

Clearly signals to the development community that PPS are the only means of sewage disposal in identified Pressure Sewer Areas of the City. This will reduce time and cost incurred by developers and Council in determining obligations and requirements in terms of infrastructure in Pressure Sewer Areas.

Will allow for PSS where it is considered appropriate outside of the identified PPS Areas and improve the City’s resilience in respect of wastewater infrastructure in certain areas.

Will ensure that Plan provisions are sufficiently clear and direct to enable decision-makers to effectively and efficiently assess and determine applications for subdivision to require PSS in identified areas of the City; and

Will ensure provisions clearly articulate Council’s expectations in relation to PSS to facilitate consultation and discussions between developers and Council at the...
<table>
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</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>subdivision design and pre-application stage, also contributing to an effective and efficient resource consenting process for all parties.</td>
</tr>
<tr>
<td><strong>Effectiveness</strong></td>
<td>This option is not effective in achieving the proposed objective, or other objectives in the Plan that seek to ensure infrastructure is appropriate and contributes to the health, safety and wellbeing of people living and working in the City.</td>
<td>This option is effective in achieving the proposed new objective, and other objectives related to infrastructure.</td>
</tr>
<tr>
<td><strong>Efficiency</strong></td>
<td>There is the potential for the status quo option to result in costs in terms of process, engagement with developers, and the installation of inappropriate services. These benefits of retaining the status quo are outweighed by the costs.</td>
<td>The benefits of having district plan provisions that are aligned with the Council’s broader policy relating to PSS and the Council’s engineering code of practice outweigh the costs of securing the provisions in the plan through the Schedule 1 process.</td>
</tr>
<tr>
<td><strong>Risks</strong></td>
<td>The Council has sufficient information about the subject matter of the provisions to pursue amending the Plan as suggested in PPC D.</td>
<td></td>
</tr>
<tr>
<td><strong>Conclusions</strong></td>
<td>This option is not considered the most effective or efficient way of addressing the resource management issue identified and achieving the proposed objectives.</td>
<td>This option is considered the most effective and efficient way of addressing the resource management issue identified and achieving the proposed objectives.</td>
</tr>
</tbody>
</table>