COUNCIL

AGENDA

Extraordinary Meeting to be held

WEDNESDAY 27 APRIL 2016
1.30pm

In the Manawatu District Council Chambers,
135 Manchester Street, Feilding

Shayne Harris
Acting Chief Executive
MEMBERSHIP

Chairperson

Her Worship the Mayor, Mrs Margaret Kouvelis

Deputy Chairperson

Councillor Tony Jensen

Members

Councillor Steve Bielski
Councillor Barbara Cameron
Councillor Shane Casey
Councillor Wayne Ellery
Councillor Jo Heslop
Councillor Albert James
Councillor Andrew Quarrie
Councillor Alison Short
Councillor Howard Voss
ORDER OF BUSINESS

1. MEETING OPENING

2. APOLOGIES

3. REQUESTS FOR LEAVE OF ABSENCE

4. DECLARATIONS OF INTEREST

Notification from elected members of:

5.1 Any interests that may create a conflict with their role as an elected member relating to the items of business for this meeting; and

5.2 Any interests in items in which they have a direct or indirect pecuniary interest as provided for in the Local Authorities (Members’ Interests) Act 1968

5. NOTIFICATION OF LATE ITEMS

Where an item is not on the agenda for a meeting, that item may be dealt with at that meeting if:

7.1 The Council by resolution so decides; and

7.2 The Chairperson explains at the meeting at a time when it is open to the public the reason why the item is not on the agenda, and the reason why the discussion of the item cannot be delayed until a subsequent meeting.

6. OFFICER REPORTS

6.1 SECTION DISTRICT PLAN REVIEW – PROPOSED PLAN CHANGE 55 – DISTRICT WIDE RULES


7. CONSIDERATION OF LATE ITEMS

8. MEETING CLOSURE
Sectional District Plan Review - Proposed Plan Change 55 - District-wide Rules

Purpose

The purpose of this report is to seek approval to publicly notify Proposed Plan Change 55 in accordance with Clause 5, of Schedule 1 of the Resource Management Act (1991) (“RMA”).

Significance of Decision

The Council’s Significance and Engagement policy is triggered by matters discussed in this report. The Council is legally required to engage with the community, following processes outlined in the Resource Management Act 1991.

Recommendations


That the General Manager – Community and Strategy be authorised to make minor amendments to proposed Plan Change 55 prior to public notification.

Report prepared by:
Wendy Thompson
Principal Planning Adviser

Approved for submission by:
Brent Limmer
General Manager - Community and Strategy

Executive Summary

1. Proposed Plan Change 55 reviews the current District Plan provisions relating to network utilities, transport, noise, signs, temporary activities and relocated buildings and introduces new provisions relating to earthworks.

2. The changes include amendments to the issues, objectives, polices and assessment criteria to provide greater clarity and the removal of duplicated provisions through the District
Plan. It is proposed that these provisions are grouped together into one, new District Plan chapter called District-Wide Rules, with consequential amendments being made to the entire District Plan.

2 Contribution to the Council Vision and Council Outcomes

2.1 Relationship to the Council Outcomes that underpin the Council’s Vision:

**Connected, vibrant and thriving Manawatu – the best rural lifestyle in New Zealand**

| Manawatu District will improve the natural environment, stewarding the district in a practice aligned to the concept of kaitiakitanga. | The Manawatu will attract and retain residents. | Manawatu district develops a broad economic base from its solid foundation in the primary sector. | Manawatu and its people are connected via quality infrastructure and technology. | Manawatu’s built environment is safe, reliable and attractive. | Manawatu District Council is an agile and efficient organisation. |
|---|---|---|---|---|
| ✔ | ✔ | | ✔ | ✔ | |

3 Background

The primary purpose of Plan Change 55 is to review the provisions in the current operative District Plan that apply throughout the District with a specific focus on the following activities: Network Utilities, Transport, Noise, Earthworks, Signs, Temporary Activities and Relocated Buildings. This Plan Change also includes clearer provisions on earthworks where they are not part of an activity which is otherwise permitted.

This Plan Change also seeks to improve the usability of the District Plan. It removes repetition in each zone chapter and creates a single chapter which will cover land use activities that occur throughout the District. This streamlining will ensure that provisions that apply District wide are contained in one place, whilst the zone specific provisions will focus only on those matters which are relevant for each zone.

This Plan Change also includes changes to Chapter 2 (Definitions) to reflect the new terms used within the Chapter and to reflect terms and provisions in National Policy Statements and National Environmental Standards.

The deletion of Chapter 1 of the operative District Plan is also proposed as part of Plan Change 55. Plan Change 46 – Feilding Town Centre included a new introduction section for the District Plan and therefore the existing Chapter 1 is not required.

Specific changes to each topic are addressed in the sections below.

3.1 Network Utilities

Minor changes are being made to update the network utility provisions. Amendments are also being made to appropriately accommodate changes from the Feilding Growth Plan Change (Plan Change 45) and feedback from Transpower in relation to their transmission corridors and associated planning controls.

3.2 Transport

This section includes new polices relating to transport, roading and access to provide more policy guidance. New objectives and policies have been included relating to the Roading Hierarchy and associated elevation of the status of the Roading Hierarchy from
simply a reference in an explanation. New provisions have been included relating to access, traffic generation and corridor management, updates to the parking standards and amendments made to the level crossing standards for road/rail associated with updated information from KiwiRail.

3.3 **Noise**

This section includes changes to the planning approach for measuring sound emissions and the incorporation of NZS 6801:2008 Acoustics – Measurement of Environmental Sound. New polices have been included to provide more policy guidance and further clarification of the rules relating to activities that have been excluded from the noise standards, in particular aircraft, trains, emergency services sirens, rural production activities (except for intensive farming) and crowd noise on land zoned for recreation.

3.4 **Earthworks**

The operative District Plan does not contain specific objectives or policies on earthworks. It is proposed that this new chapter will provide an overall planning approach for earthworks with a focus on residential land and new growth areas. This section also includes thresholds for earthworks and associated performance standards to clarify earthworks which are permitted and those requiring resource consent.

Earthworks in the Rural zone and Flood Channel 1 and 2 zones are not part of this Plan change as they will be considered as part of Plan Change 53.

3.5 **Signs**

Proposed Plan Change 55 consolidates and amends the rules which apply to signage in the District. The current planning approach is being retained to avoid the proliferation of signs in the District and amends the rules for temporary signs.

3.6 **Temporary Activities**

This section retains the current provisions applying to temporary activities to recognise the social, cultural and economic needs within the community through temporary activities such as markets, galas, and farming events and the contribution to the vibrancy of Manawatu District.

3.7 **Relocated Buildings**

This section provides greater clarity on the issues associated with relocated buildings within the Manawatu District with changes to the resource management issues. The retention of the Controlled Activity status for consenting relocated buildings is also included.

4 **Discussion and Options considered**

4.1 The accompanying Section 32 report identifies that Proposed Plan Change 55 is the most efficient and effective means of meeting the purpose of the RMA 1991.

5 **Operational Implications**

5.1 There are no capital/operating expenditure implications or maintenance costs associated with this topic.
6 Financial implications

6.1 The resource requirements are in accordance with existing budgetary allocation.

7 Statutory Requirements

7.1 The statutory requirements under the RMA 1991 are being followed.

7.2 Section 32 of the Act requires local authorities to prepare a report summarising the evaluation of alternatives, benefits and costs of the Proposed Plan Change and reasons for that evaluation. The Section 32 report is attached.

7.3 Minor amendments to Proposed Plan Change 55 may be required as a result of any feedback arising from the legal review currently being undertaken. These minor amendments will be incorporated into the plan change documents prior to public notification.

8 Delegations

8.1 Council has delegated authority to decide matters relating to the notification of Proposed Plan Change 55.

9 Consultation

9.1 The consultation process for undertaking a change to the District Plan is directed by the RMA 1991.

9.2 Consultation was carried out during the preparation of Plan Change 55 as required by Clause 3 of Schedule 1 of the RMA 1991. The consultation process included:

a) Letters, including fact sheets, were distributed to over 290 parties explaining the plan change content and seeking feedback. Comments were received from 17 parties.

b) Letters, including fact sheets, asking for feedback were distributed to Horizons Regional Council, Horowhenua District Council, Tararua District Council, Rangitikei District Council, Department of Conservation, Ministry for the Environment, NZ Transport Agency, Powerco and other utility operators, Iwi Authorities and Heritage New Zealand.

c) Various meetings and telephone conversation with affected parties.

9.3 The feedback received have been grouped into the following key themes:
<table>
<thead>
<tr>
<th>Topic</th>
<th>Feedback</th>
</tr>
</thead>
</table>
| **Network Utilities** | • Need for greater recognition of infrastructure of regional and national importance, as required by the One Plan.  
• Allow Infrastructure of regional and national importance as Discretionary Activity in Outstanding Natural Features and Landscapes, rather than Non-Complying Activity.  
• Support for the existing draft provisions.  
• Exempt network utilities from the relevant zone rules.  
• Include provisions for electric vehicle charging stations.  
• Include exemptions for network utilities within Outstanding Natural Features and Landscapes where they occur within the existing road.  
• Increase the height limits for masts if more than 1 telecommunications provider using the mast.  
• Recognise that network utilities can impact on farming activities.  
• Change some existing permitted activity rules to discretionary.  
• Change activities that are allowed in the National Grid Corridors. |
| **Transport** | • Change rural access spacing limits.  
• Provide for reverse sensitivity effects for roads and railway lines.  
• Change reference from road network to transport network to recognise the railway network in the District.  
• Include maintenance activities in permitted activities.  
• Retention of draft policies and some permitted activities as drafted.  
• Exclude vehicle crossing movements from industrial and business zones.  
• Clarify parking requirements at service stations associated with workshop bays.  
• Support access standards as drafted, but make access ways 4m wide. |
<table>
<thead>
<tr>
<th><strong>Topic</strong></th>
<th><strong>Feedback</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Noise</strong></td>
<td>• Residential noise limits are too restrictive.</td>
</tr>
<tr>
<td></td>
<td>• Recognise the trend towards country living and the need to continue traditional farming activities.</td>
</tr>
<tr>
<td></td>
<td>• Change the night time period in the rural zone to 10pm – 5am and daytime period from 5am – 7pm.</td>
</tr>
<tr>
<td><strong>Earthworks</strong></td>
<td>• Greater control required near infrastructure of regional and national importance.</td>
</tr>
<tr>
<td></td>
<td>• More guidance notes regarding potential resource consents from Horizons Regional Council.</td>
</tr>
<tr>
<td></td>
<td>• Include reference to the Greater Wellington Regional Council’s Erosion and Sediment Control Guidelines.</td>
</tr>
<tr>
<td></td>
<td>• Include provisions that dust does not cause a nuisance.</td>
</tr>
<tr>
<td></td>
<td>• Exclude rural zones which are covered by the One Plan.</td>
</tr>
<tr>
<td><strong>Signs</strong></td>
<td>• Exclude the rural zone from the signs provisions.</td>
</tr>
<tr>
<td></td>
<td>• Signs should be fit for purpose.</td>
</tr>
<tr>
<td></td>
<td>• Don’t restrict hazard or risk identification of site safety signs provided for and required by other legislation.</td>
</tr>
<tr>
<td></td>
<td>• Provide for supermarket signs as permitted activity.</td>
</tr>
<tr>
<td><strong>Temporary Activities</strong></td>
<td>• Provide for temporary network utilities.</td>
</tr>
<tr>
<td></td>
<td>• Retain provisions for Temporary Military Activities in the existing plan, but note that new provisions are requested.</td>
</tr>
<tr>
<td></td>
<td>• Include the standards for vibration and construction noise requirements.</td>
</tr>
<tr>
<td><strong>Relocated Buildings</strong></td>
<td>• Include prescribed timeline for having a relocated building look presentable and to have landscaping.</td>
</tr>
<tr>
<td></td>
<td>• Support discretionary activity status of relocated buildings in the flood channel zones.</td>
</tr>
<tr>
<td></td>
<td>• The balance between policy making and enforcement needs review. Put more into enforcement.</td>
</tr>
<tr>
<td></td>
<td>• Support the objectives and policies but want remedial works to also “improve” the visual amenity of the surrounding area.</td>
</tr>
<tr>
<td>Topic</td>
<td>Feedback</td>
</tr>
<tr>
<td>---------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
</tbody>
</table>
| Feedback      | • List of matters in draft rule 3G 4.1.c are imperative – replace may with shall.  
• Provide for relocated buildings as a permitted activity. |
| Definitions   | • Retain definition of network utilities as proposed.  
• Retail definition of noise sensitive activity as proposed.  
• Support sign definitions.  
• Amend the earthworks definition to include more farming activities.  
• Amend the definition of National Grid Yard and National Grid Corridor. |

9.4 Proposed Plan Change 55 has been reviewed in light of the comments received and amendments made to reflect some changes sought by feedback.

10 Cultural Considerations

10.1 Consultation has been undertaken with Tangata Whenua. No formal feedback was received on draft Plan Change 55.

11 Conclusion

11.1 The intent of Draft Plan Change 55 is to review the District Plan provisions relating to network utilities, transport, noise, earthworks, signs, temporary activities and relocated buildings. These provisions relate to all zones and it is proposed they are grouped together into one, new District Plan chapter called District-Wide Rules.

11.2 An evaluation under Section 32 of the Act has been undertaken which is appropriate to, and in accordance with, the Clause 4 process.

11.3 It is considered that Proposed Plan Change 55 is the most appropriate method to meet the purpose of the Act and fulfils Clause 5 Section 32 of the RMA 1991.

11.4 If the Council approves the recommendations of this report, the next step will be for the Council to publicly notify Plan Change 55 and call for submissions. If approved, public notification will occur on 2nd of May 2016.

12 Attachments

• Proposed Plan Change 55 – Section 32 report
• Proposed Plan Change 55
Manawatu District Plan

Proposed Plan Change 55: Chapter 3 District Wide Rules

Section 32 Report

April 2016
Part I – District Plan Review

1 Proposed amendments to the District Plan

This proposed Plan Change 55 includes amendments as follows:

1. A new Chapter 3 – District Wide Rules (refer Appendix 1).

2. Deletion of Section 1 – The Matters of Importance in Part II of the Act. A new introduction chapter was introduced under Plan Change 46 – Feilding Town Centre to replace existing Section 1.

3. Changes to some definitions in Chapter 2 (refer Appendix 2).

4. The deletion of existing provisions where they are now covered by the proposed new Chapter 3 and consequential changes to cross referencing as a result of Plan Change 55 (refer to Appendix 3).

Appendix 5 contains the full District Plan showing all changes resulting from PC55.

These provisions have legal effect once the Council publicly notifies decisions on submissions to Plan Change 55, in accordance with Clause 20, Schedule 1, as set out in Section 86B(1) of the Resource Management Act (1991).
Part II – Assessment Report

1 Introduction

The Manawatu District Council (the Council) has prepared Proposed Plan Change 55 (PC 55) to the Operative Manawatu District Plan for notification under the provisions of the Resource Management Act 1991 (the Act).

This report has been prepared in accordance with section 32(5) of the Act and represents a summary of the evaluation of alternatives, costs and benefits undertaken by the Council in respect to the proposed District Plan provisions relating to matters that apply District wide.

In summary, the Council must establish that the Plan Change is the most appropriate way to achieve the purpose of the Act including an assessment that the proposed changes are the most appropriate means available to achieve Councils objectives – when compared against alternative methods available, including doing nothing.

2 Purpose of Proposed Plan Change 55

The primary purpose of Plan Change 55 is to review the provisions in the current operative District Plan that apply District Wide, specifically looking at the following areas: Network Utilities, Transport, Noise, Earthworks¹, Signs, Temporary Activities and Relocated Buildings.

This Plan Change seeks to remove repetition in each zone chapter and create a single chapter which cover those land use activities that occur throughout the District. This streamlining seeks to ensure that provisions that apply District wide are contained in one place, whilst making the zone specific provisions focused on those matters relevant for each zone.

The aim has been to remove unnecessary duplication and provide greater clarity for plan users. This new chapter also includes clearer provisions on earthworks where they are not part of an activity otherwise permitted.

This Plan change includes changes to Chapter 2 (Definitions) to reflect the new terms used in the Chapter and to reflect provisions in National Policy Statements.

The deletion of Chapter 1 of the operative District Plan is also proposed as part of this plan change. Plan Change 46 – Feilding Town Centre included a new introduction section for the District Plan; therefore the existing Chapter 1 is no longer required.

¹ Earthworks within the Rural and Flood Channel zones will be reviewed through Plan Change 53 – Rural Zone Review.
3 Operative District Plan Review

The current District Plan became operative in December 2002. Section 79 of the Act requires Council to commence a review of its District Plan every 10 years. Recent amendments to the Act clarify that whole plans need not be reviewed. A council may choose to review their District Plan in part or in sections.

The Council has decided to undertake the review of the District Plan in section (i.e. a sectional district plan review). The reason for this approach is to lessen the administrative burden of reviewing the entire District Plan within the statutory timeframes. This approach enables the public to make comment on a topic-specific basis. Council is very conscious of the need to maintain a holistic view of the future to ensure that research and consultation for related components of the Plan still achieve a high level of integration. A key focus for the review process is ensuring local context, a high degree of alignment of regulatory provisions and ensuring that the context and scale of any rules are appropriate to manage the issues raised.

4 Statutory and Legislative Framework for the Review

4.1 Resource Management Act 1991

Section 74 of the Act requires the Council to change the District Plan in accordance with its functions under section 31, the purpose of the Act in section 5 and the other matters under sections 6, 7 and 8.

Territorial Authorities have the following functions under the Act:

“31 Functions of territorial authorities under this Act

(1) Every territorial authority shall have the following functions for the purpose of giving effect to this Act in its district:

(a) 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:

(b) the control of any actual or potential effects of the use, development, or protection of land, including for the purpose of—

(i) the avoidance or mitigation of natural hazards; and

(ii) the prevention or mitigation of any adverse effects of the storage, use, disposal, or transportation of hazardous substances; and

(iia) the prevention or mitigation of any adverse effects of the development, subdivision, or use of contaminated land:

(iii) the maintenance of indigenous biological diversity:

(c) [Repealed]

(d) the control of the emission of noise and the mitigation of the effects of noise:
Proposed Manawatu District Plan Chapter 3 District Wide Rules – Section 32 Report

(e) the control of any actual or potential effects of activities in relation to the surface of water in rivers and lakes:

(f) any other functions specified in this Act.

(2) The methods used to carry out any functions under subsection (1) may include the control of subdivision.

The Council is given these functions for the purpose of promoting the sustainable development of natural and physical resources, which is defined in section 5(2) of the Act as:

“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 enable people and communities to provide for their social, economic, and cultural well-being and for their health and safety while -

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

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

(c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.”

Section 72 of the Act states:

“The purpose of the preparation, implementation and administration of district plans is to assist territorial authorities to carry out their functions in order to achieve the purpose of the Act.”

The following provisions of section 76 of the Act are also relevant:

(1) A territorial authority may, for the purpose of –

(a) Carrying out its functions under this Act; and

(b) Achieving the objectives and policies of the plan, - include rules in a district plan. ......

(3) In making a rule, the territorial authority shall have regard to the actual or potential effect on the environment of activities, including, in particular, any adverse effect.

In order to achieve sustainable management not only must any adverse effects be avoided, remedied or mitigated, but the potential of natural and physical resources must be sustained to meet the reasonably foreseeable needs of future generations.

The objectives, policies and rules within the proposed District Wide Rules Chapter have been drafted with these statutory obligations in mind. The generally permissive nature of the existing provisions has been continued with new provisions added for earthworks not currently covered in the District Plan.

PC55 is therefore considered to be consistent with promoting the purpose of the Act.
Further guidance and direction on the way in which resources are to be managed is provided in sections 6, 7 and 8 of the Act. Section 6 matters to be recognised and provided for of relevance to this Plan Change is:

“(b) the protection of outstanding national features and landscapes from inappropriate subdivision, use and development.”

Section 7 of the Act identified other matters that must be given regards to. The provisions of relevance to this Plan Change are:

“(b) the efficient use and development of natural and physical resources:
(ba) the efficiency of the end use of energy:
(c) the maintenance and enhancement of amenity values:
(f) maintenance and enhancement of the quality of the environment:
(g) any finite characteristics of natural and physical resources:

PC55 is considered to have given particular regard to the above matters leading to the inclusion of specific provisions in proposed Chapter 3.

PC55 does not propose to alter any sites that are known to be of particular significance to iwi. Therefore the plan change is considered to be consistent with the provisions of Section 8 of the Act.

4.2 Other Matters

4.2.1 National Policy Statements

Section 75(3) of the Act requires all district plans to give effect to all national policy statements. When reviewing the Operative District Plan and developing the Proposed District Plan the National Policy Statement on Electricity Transmission was considered relevant to this Plan Change.

The National Policy Statement of Electricity Transmission has the core aim of acknowledging the national significance of the national grid, which now has to be considered in local resource management decision making.

The objective of the NPSET is “to recognise the national significance of the electricity transmission network by facilitating the operation, maintenance and upgrade of the existing transmission network and the establishment of new transmission resources to meet the needs of present and future generations, while: managing the adverse environmental effects of the network; and managing the adverse effects of other activities on the network.”

To achieve this objective the NPSET has 14 policies that guide Local Authorities in the management of electricity transmission.

PC55 gives effect to the NPS on Electricity Transmission largely in the Network Utilities section and ensures there is no contradiction with the NPS. Consistency with the NPSET is discussed further in the evaluation section of this Report.
4.2.2 National Environment Standards

National Environment Standards are regulations that are issues under Sections 43 and 44 of the Act. They can prescribe technical standards, methods or other requirements for environmental matters and provide a consistent approach across the country. Each regional, city or district council must enforce the same standard.

Of the five standards that are currently operative, three are applicable to the Proposed District Plan. Air quality and drinking water standards fall under a regional council responsibility rather than territorial.

PC55 has given effect to the NES for Electricity Transmission, NES for Assessing and Managing Contaminated Land and NES for Telecommunication Facilities through the referencing of these in the relevant sections of the PC55.

4.2.3 Regional Policy Statements

Section 75(3) of the Act requires that all District Plans give effect to any regional policy statement. The Regional Policy Statement is the main vehicle for interpreting and applying the sustainable management requirements of the Act in a local context, and in this regard, guides the development of lower tier plans, including the Manawatu District Plan.

Horizons Regional Council’s Regional Policy Statement has been replaced by the One Plan. The One Plan contains specific policies that direct the District Plan Review in the review and creation of District Plan provisions. The District Plan Review has given effect to the topics covered within the One Plan, including infrastructure, waste, and landscapes.

4.2.4 Regional Plan

Section 75(4) of the Act requires that a District Plan not be inconsistent with any Regional Plan. During the District Plan Review careful attention was given to the provisions of the One Plan to ensure consistency. This has been ultimately achieved with all provisions being consistent with the One Plan.

5 Background to Plan Change

The key aim of PC55 is a review of the existing objectives, policies and methods of Section A2 (Rules applying throughout the District) and rules in the various zones. A specific focus has been to remove duplication within the Plan. The proposed changes have been made to improve the functioning of the District Plan and introduce a District Wide Rules Chapter, to bring the provisions and rules up to date with best practice, and account for changes in national, regional and local policy statutory frameworks. Section A2 and many of the zone provisions have not been subject to any reviews since they were made operative in 2002.

The performance of the operative District Plan, regulatory best practice framework and whether this has delivered the anticipated environmental results are factors that set the context to PC55.

The following proposed changes are assessed later in this Report:
Proposed Manawatu District Plan Chapter 3 District Wide Rules – Section 32 Report

- Renumbering, reformatting and reordering of the existing District Plan provisions into one chapter for those provisions that apply district wide;
- Amendments to objectives, policies and rules (including removing duplication of provisions wherever possible);
- Amendments to the topics of earthworks, signs, temporary activities, network utilities, transport (including parking), noise and relocated buildings.
- Amendments and additions to definitions;
- Deletion of Chapter 1;
- Consequential changes to cross referencing throughout the plan and some deletions as a result of the new proposed chapter.

6 Regulatory and Policy Context

6.1 Operative District Plan Structure and Planning Framework

The operative District Plan uses zones to manage land uses across the District where activities are grouped into similar categories under various headings including Rural, Residential, Industrial, Recreation or Business Zones. In the Manawatu District Plan, all resource management issues are grouped together, as are the objectives and policies. The rules are then divided into the various zones, with many performance standards for activities in each zone being duplicated.

6.1.1 Resource Management Issues

The overarching resource management issues for the Manawatu District are outlined in Section 2 – Significant Resource Management Issues facing the District. These issues establish the intent of the District Plan at a strategic level. The overarching resource management issues that are directly applicable to PC55 are:

Issue 5 – Past land uses, developments, signs and surface water uses have not always fitted into their surroundings without causing problems such as: ...

b) Adverse effects upon traffic safety and efficiency. Neighbours may also be affected through parking demand and by vehicles “coming and going” if the area is otherwise quiet.

c) Excessive levels of noise, or certain types of sounds which have an adverse effect upon people’s health and enjoyment of life.

e) Effects on soil productivity, structure and stability through such activities as soil removal, covering with hard surfaces, and inappropriate cultivation. The effects are often gradual and cumulative.

f) Effects of development pressures upon other natural and physical resources, eg on town centres, the quality and availability of water, energy supplies, the safety and efficiency of roading systems, or the supply of minerals.
h) Pressure from newly established “sensitive” activities, such as residential uses, for established operations which have a level of perceived nuisance to be curtailed or closed down.

(i) Visual Appearance – “eyesores”, such as piles of junk in the open, unfinished building projects or a profusion of signs and billboards.

j) Glare from, for example, outdoor lighting and reflective surfaces, which can annoy people and distract motorists.

k) Electrical interference to radios and televisions.

p) Possible effects on health from electromagnetic and other forms of radiation.

Issue 6 – Parts of the District have significant soil erosion problems and varied water quality is likewise a problem in some of our rivers and streams. These environmental impacts are related to the removal of the land’s natural vegetation cover.

Issue 11 – Certain parts of the District have been recognised as regionally-significant landscapes requiring special management.

Issue 13 – Water and energy use is often very wasteful, and more efficient use needs to be encouraged. Disposal of solid waste which cannot be re-used or recycled needs to be managed in a more sustainable way.

6.1.2 Utilities

Section 10 – Utilities – Objectives, Policies and Methods contains the policy provisions relating to Utilities. The focus of the provisions is to provide for the efficient development and maintenance of utilities while avoiding, remedying or mitigating adverse effects. The policies seek to recognise the need for utilities and the effects one utility can have on another utility.

Section A2 2.5 – Utilities sets out the specific rules that apply to network utilities. There is a long list of network utilities that are permitted in the District, subject to meeting specified performance standards. Refuse transfer stations and recycling depots with a gross area of over 20m² are a controlled activity. Utility activities not specified are categorised as discretionary activities under the operative District Plan.

The operative Plan provisions, while providing the District with sound provisions for the management of utilities over the past 10 years, have become somewhat out of date due to the introduction of new statutory planning frameworks, such as NPS, NES and RPS documents.

6.1.3 Transport

The operative District Plan provides for transportation matters both District wide as well as within each land use zone. Sections 4.13 – Traffic Safety and Efficiency and 5.3.7 – Traffic Safety and Efficiency contain objectives and policies relating to traffic safety and efficiency. Section 4.13 seeks to ensure the safe and efficient operation of the road network and identifies which roads are of significance, in relation to the established roading hierarchy. Section 5.3.7 – Traffic Safety and Efficiency addresses road and access development at the time of subdivision.
Rule A2 2.4 – Parking Standards contains the parking standards that apply District Wide. There are specific performance standards relating to access, car parking, glare and signs on roads in each of the zone rules in the section Rule B – Zoning Standards of the District Plan. Generally where performance standards for transport matters are not met then the activity defaults to a restricted discretionary activity. The transport provisions in each zone are largely repetitive and are not zone specific, other than the provisions of the Manfeild Park Zone and the Special Development Zone which have specific provisions.

Appendices 2A – 2F provide additional guidance for assessing manoeuvring and parking space dimensions, figures showing the roading hierarchy in the District, road cross sections, sight distances and access spacing, measurement of sight distances, accessway formation, and traffic sight lines at road/rail level crossings.

6.1.4 Noise

The operative District Plan provides for noise in each zone. The objective in Section 4.11 – Noise Management seeks to avoid, remedy or mitigate adverse effects on people’s health and amenities. The corresponding policies seek to mitigate noise on residents; recognise that some activities, such as industrial and farming activities may generate noise extending beyond property boundaries; the effects of aircraft noise, particularly on sensitive activities and to ensure that the all activities take the best practicable option so that noise emissions do not exceed a reasonable level.

Each of the zones in Section Rule B Zoning Standards provide for noise limits with additional insulation requirements for properties near the Palmerston North Airport. Noise levels are measured using an old measurement standard of dBA L10 and dBA Lmax with reference to the notional boundary. Permitted activities that do not meet the performance standards default to restricted discretionary status. The zone chapters categorise key activities within the Air Noise Area associated with the Palmerston North Airport as discretionary activities.

6.1.5 Earthworks

The operative District Plan does not contain specific objectives or policies on earthworks. Earthworks are a permitted activity in each of the zones in Section Rule B Zoning Standards where they are ancillary to permitted activities or ancillary to approved controlled, restricted discretionary or discretionary activities. Additional provisions are included in the Rural Zone and Flood Channel Zone in Section B3 and B7 respectively of the District Plan that permit mineral exploration, prospecting or extraction activities subject to specific volume limits.

6.1.6 Signs

The operative District Plan provisions include policy guidance in Section 4 – Managing Land Use Effects for consenting purposes. Policies address a variety of matters such as temporary signs having effects of a limited duration; seeking to avoid the cumulative effects from a proliferation of signs in the rural area; strictly limiting the number, size and type of signs displayed in the Residential and Village zones; ensuring signs do not interfere with pedestrian safety in the Inner and Outer Business Zones; and ensuring signs do not interfere with traffic safety through startling or confusing drivers causing them to make sudden impulse manoeuvres.
Each zone in Section Rule B Zoning Standards also includes duplicate provisions where signs are a permitted activity subject to complying with specific performance standards relating to signs affecting safety, signs on roads, and signs on private property. The provisions in each chapter also provide for temporary signs.

6.1.7 Temporary Activities

The operative District Plan provisions includes in Section 4.2 – General Objectives, policy d) a specific reference to some land uses, including temporary signs, as having minor effects due to their limited duration. Temporary Activities are specifically provided for in Rule A2 2.2 Temporary Activities. Rule A2 2.2.1 defines what are temporary activities are within the Manawatu District, rather than having the term defined in the Definition section of the Plan.

The District permits temporary activities in all zones subject to meeting specific performance standards on duration, hours of operation, and types of temporary activity. Where these standards cannot be met, the activity defaults to a discretionary activity.

6.1.8 Relocated buildings

The operative District Plan provides for ‘relocating previously used buildings from another site’ as a controlled activity in all but the Inner and Outer Business zones, Recreation Zone and Flood Channel Zone. The District Plan in A1 1.3.1 Reservation of Control – Controlled Activity Land Use Applications contains specific matters on relocated buildings that Council reserves control over including design and appearance, need for structural repair, bulk and location, need for a bond for reinstatement works, and heritage buildings. Section A1 1.3.4 xxviii) provides assessment criteria for discretionary activities and these provisions cover similar provisions as Section A1 1.3.1.

6.2 Proposed Changes

PC55 is a review of the District Wide provisions that cover the whole District. While the intent of the existing provisions has been largely retained, the actual provisions have undergone significant amendment to reflect current issues in the District, changes in legislation and key planning documents, and to ensure they are appropriate for the Manawatu District. The planning provisions and the language used has been simplified where possible and the structure of this chapter has been amended to be in keeping with the new structure introduced under Plan Change 46 – Feilding Town Centre. Greater guidance for earthworks and relocated buildings are included, as are new or amended definitions.

The new proposed Chapter 3 replaces a number of existing provisions throughout the plan, including some objectives and policies, the provisions in sections A1 Consent Procedures and A2 Rules Applying Throughout the District of the operative District Plan, Rules in all zones and some Appendices.

Each key topic area covered by new Chapter 3 – District Wide Rules is further discussed below.
6.2.1 Network Utilities

Proposed Section 3A – Network Utilities within Chapter 3 contains the new provisions for Network Utilities. The resource management issues associated with Network Utilities have been updated from the operative District Plan and made more specific to issues in the Manawatu District. The objectives and policies have been moved from Section 10 of the District Plan to this chapter and expanded to provide greater direction for assessing those activities that require resource consent. Greater recognition has been included relating to infrastructure of regional and national importance to give effect to the provisions of the One Plan.

The intent of the new provisions is to enable network utilities to establish and operate within the District, encouraging co-location of utilities, and to protect utilities from the effects of subdivision and land use activities. New provisions seek to restrict development of network utilities within those Outstanding Natural Features and Landscapes identified in the operative District Plan. It is noted that the review and identification of new Outstanding Natural Features and Landscapes is being covered by a separate plan change – Plan Change 53 – Rural Zone Review. Policy guidance is included to ensure that network utilities are constructed and located in a manner that is sensitive to the amenity values of the areas they are located in.

The list of permitted activities and the corresponding performance standards are largely the same as the operative District Plan given that the current provisions have generally provided the District with good environmental outcomes. Provisions for a small increase in height if utilities are co-locating are proposed, as is the decommissioning and removal of utilities.

There are minor changes for clarity and wider plan consistency, and to ensure consistency with the relevant National Policy Statements, National Environment Standards, New Zealand Codes of Practice and New Zealand Standards.

Provisions relating to electricity transmission lines in the District were introduced into the District Plan through Plan Change 45 – Residential Growth. These provisions have been moved to this chapter and amended slightly to reflect that they apply District wide and in response to comments provided by Transpower NZ Limited.

The existing Restricted Discretionary and Discretionary Activity rules have been retained. Additional assessment criteria are included and are similar to the wording in the Operative District Plan. The criteria have been amended slightly to ensure consistency with other recent plan changes. This chapter does not address windfarms which are covered by Plan Change 53 – Rural Zone Review.

6.2.2 Transport

The intent of new proposed Section 3B – Transport in Chapter 3 has been to simplify and remove the repetition of provisions in the District Plan relating to transport. A refresh of the issues now includes the importance of road form and function and multi-modal options.
The roading hierarchy provisions were previously contained in an explanation in the District Plan, and through this Plan Change are proposed to be recognised through specific objectives and policies.

Greater emphasis on street function and design, and the impact of roads on the overall amenity of an area have been made through the objectives and policies. This further enhances the provisions introduced in the District Plan through Plan Change 45 – Residential Growth, specifically Appendix 2B1.

The rules associated with transport matters have been restructured, but the overall intent of the existing provisions have been retained, albeit updated to reflect current best practice. Each zone had performance standards relating to transport matters. These have now been condensed into one rule for ease of use and to remove unnecessary duplication through the District Plan.

Due to changes in definitions and terms used in the District Plan as a result of Plan Change 46 – Feilding Town Centre, consequential changes to the car parking standards have occurred. These changes have essentially streamlined the provisions and now avoid duplication. Plan Change 46 – Feilding Town Centre removed Appendix 4C relating to parking exclusions and veranda requirements in the Central Feilding Area. The parking exclusions are an important component of the parking requirements for the Feilding Town Centre and has been reinstated through this plan change.

The status of activities not meeting the performance standard remains a restricted discretionary activity, while those not otherwise provided for are a discretionary activity.

Sight distances from vehicle crossings and intersections have been amended to be consistent with New Zealand Transport Agency provisions in the Planning Policy Manual – Appendix 5B Accessway standards and guidelines. Updated provisions relating to level vehicle crossings over the railway line are also proposed following consultation with KiwiRail.

Council is aware of the One Network Road Classification process which is underway nationally. At the time of preparing this plan change the decisions on the road classifications in the Manawatu District had not been completed. Council may complete a future plan change to amend the classifications in the roading hierarchy following final decisions on the One Network Road Classification process.

6.2.3 Noise

The proposed new provisions in Section 3C – Noise seek to recognise the different levels of amenity throughout the District. Noise limits for each zone reflect the local amenity needs of each land use zone or type of activities that predominately occur.

Based on advice from Council’s acoustic consultant the noise limits have been amended to reflect the latest version of New Zealand Standard NZS6802:2008 Acoustics – Environmental Noise. The proposed change from $L_{10}$ to $L_{Aeq}$ is likely to result in the noise controls being slightly less strict depending on the time variation of the activity.

To assist plan users noise levels are shown in table format and include land use interfaces between some zones. For example noisy activities in the Industrial Zone must meet set noise levels in the Residential Zone where the two zones interface.
The recommended guideline noise limits in NZS6802:2008 introduce ‘shoulder’ limits that apply in the evening between the daytime and night time limits. Daytime noise tends to tail off in the evening as sound levels gradually reduce. An evening noise shoulder has therefore been introduced in the noise levels under the new rule.

For additional clarity those activities that are excluded from the noise levels in the proposed table have been incorporated as part of the rule, rather than in a policy, which is currently the case.

A significant difference with the proposed new Section 3D of Chapter 3 is the removal of the notional boundary as the measurement requirement on properties to measuring noise levels at the property boundary. The reason for this is to simplify the provisions for plan users and to ensure the effects of noisy activities are contained onsite.

6.2.4 Earthworks

Earthworks are proposed as Section 3D – Earthworks and seek to ensure that the effects of earthworks are mitigated so that they are retained onsite and land instability risk are minimised. Earthworks also have the potential to affect key network utilities within the District and these have been recognised through the new provisions.

Objectives and policies are proposed to focus on the key issues of amenity, land stability and earthworks near the National Grid. This section proposes specific earthwork limits, based on best practice and consistency with neighbouring councils. The lack of limits or guidance has created uncertainty for plan users. The intent of the proposed earthwork rules is to establish an approach that allows some earthworks as of right, but ensures any effects are managed onsite.

Specific earthwork provisions relating to the National Grid were introduced to the District Plan under Plan Change 45 – Residential Growth. These have been moved to this chapter to reflect the new, revised structure of the District Plan and to confirm these provisions apply District wide.

Where the specified limits cannot be met, a discretionary activity resource consent is required so that the effects can be assessed on a case by case basis.

6.2.5 Signs

The proposed new sign provisions in Section 3E – Signs seek to simplify the current arrangement whereby signs are dealt with in each land use zone, with the same repetitive requirements. A number of current signage provisions were identified as ambiguous and open to interpretation. The proposed changes intend to provide more clarity and certainty for plan users, particularly around temporary signs.

The intent of the new provisions is to ensure that signs do not detract from the open rural character of the District and that proliferation of signs does not occur. New provisions are proposed to ensure the erection of advertising signs is limited to the site where the activity occurs. New technology in signage has been accommodated through provisions relating to LED technology. The existing provisions have largely been retained with some new policy guidance.
Provisions in relation to traffic safety have also been strengthened recognising the importance of traffic safety in the District and the need to ensure that signs do not distract road users and pedestrians.

Temporary signage has been clarified and updated with a new proposed definition, particularly recognising the regularity of elections and associated electioneering signs. The proliferation and size of electioneering signs was becoming an issue for the District. The proposed changes seek to better control the location and size of temporary signs to avoid adverse environmental effects.

Rules for signs have been amended to provide clarity on the number and size of signs for different purposes. These are based on recent changes to the District Plan through Plan Change 35 – Manfeild Park, and Plan Change 46 – Feilding Town Centre. The proposed sign size ensures consistency throughout the District Plan.

Provisions have been made clearer regarding official signs, including a revised definition. The provisions propose to restrict the number of official signs to ensure the continued avoidance of the proliferation of signs in the District.

6.2.6 Temporary Activities

The intent of the changes in Section 3F – Temporary Activities in Chapter 3 is to refine the rules in the operative District Plan. An objective and policies have been introduced that specifically provide for temporary activities and the effects of most concern.

A new definition is proposed, rather than having a rule define what temporary activities are. This provides plan users greater plan clarity for what is considered to be a temporary activity. The rule is then specific to addressing effects. This means that the rules are specific and tailored to those effects of most concern with temporary activities.

Where activities cannot meet the standards listed, a Discretionary Activity consent is required. This is consistent with the current District Plan approach.

6.2.7 Relocated buildings

The proposed provisions in Section 3G – Relocated Buildings seek to provide greater clarity for those wishing to relocate a building as part of a future development. A new objective and corresponding policies are proposed to guide future resource consent decision making. These are largely absent in the operative District Plan.

All relocated buildings are a controlled activity, with a specific rule stating that these consents would not be publicly notified. Where the matters of control cannot be met, then a restricted discretionary activity consent is required. More specific assessment criteria are included for restricted discretionary activities to provide additional guidance, greater than what is currently in the District Plan. Any relocated buildings not otherwise provided for are discretionary activity, including relocated buildings in the Flood Channel Zone.

A new definition is also included in the Plan to avoid any confusion for what a relocated building is or is not.
6.3 Consultation

A range of consultation and information sharing initiatives have been carried out since the commencement of the District Plan review including:

- Community Information Days comprising 3 days over August and September 2010.
- Marae Consultative Standing Committee on the 9th October 2012.

Feedback received indicated in the following areas:

<table>
<thead>
<tr>
<th>Topic</th>
<th>Consultation Feedback</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Network Utilities</strong></td>
<td>• Lighting pollution when installing public lighting.</td>
</tr>
<tr>
<td></td>
<td>• High pressured gas lines 0 NZ/AS 2885. Third party interference concern. Include</td>
</tr>
<tr>
<td></td>
<td>transmission lines on planning maps.</td>
</tr>
<tr>
<td></td>
<td>• Don’t want transmission lines closer to homes – need safeguards against future</td>
</tr>
<tr>
<td></td>
<td>development creating reverse sensitivity issues.</td>
</tr>
<tr>
<td></td>
<td>• Encourage underground power.</td>
</tr>
<tr>
<td></td>
<td>• NPS on electricity transmission and NES for electricity transmission activities.</td>
</tr>
<tr>
<td></td>
<td>Recognise:</td>
</tr>
<tr>
<td></td>
<td>• Benefit of National Grid</td>
</tr>
<tr>
<td></td>
<td>• Ensuring and protecting ongoing operation and maintenance</td>
</tr>
<tr>
<td></td>
<td>• Protecting the existing network from issues of reverse sensitivity</td>
</tr>
<tr>
<td></td>
<td>• Enabling the existing network to be upgraded</td>
</tr>
<tr>
<td></td>
<td>• Appropriate policy framework for the development of new lines.</td>
</tr>
<tr>
<td></td>
<td>• Access to properties for fire services and firefighting water supply. SNZ PAS 4509:</td>
</tr>
<tr>
<td></td>
<td>2008.</td>
</tr>
<tr>
<td></td>
<td>• Reverse sensitivity – noise and vibration of railway lines, stormwater runoff away</td>
</tr>
<tr>
<td></td>
<td>from railway line.</td>
</tr>
<tr>
<td></td>
<td>• Concerns on sensitive natural areas from network utility operation and construction.</td>
</tr>
<tr>
<td><strong>Transport</strong></td>
<td>• Road works should not create runoff problems for residents.</td>
</tr>
<tr>
<td>Topic</td>
<td>Consultation Feedback</td>
</tr>
<tr>
<td>---------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Cycleways/walkways to be provided</strong> – grass strip along railway line, Feilding – PN cycleway integrated into new subdivisions.</td>
<td></td>
</tr>
<tr>
<td><strong>Stock underpasses.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Access to arterial roads needs review.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Review parking requirements.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Derelict vehicles.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Review following rules – B1 1.3.1 J when roads are vested; B2 2.3.2 F access to unformed roads; B3 3.3.1 H forest harvesting and heavy traffic movements; and B3 3.3.1 J retail sales close to roads.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Definitions need reviewing.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Council code of Practice for undertaking work within the road corridor.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Air conditioning units.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Airport provisions – Ohakea, Taonui, Palmerston North.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Rural fans/bird scarers/ frost helicopters.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Windmills – private use and commercial windfarms.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Manfeild Park / Motorcross noise.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Daycare centres in Residential Areas.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Earthworks in flood areas.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Uniformity with the city provisions.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Gravel extraction / quarries.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Road works needing appropriate sediment control.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Earthworks in areas of Outstanding Natural Features and Landscapes / significant habitats – links with the One Plan.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Requiring geotech investigations prior to earthworks or land development / subdivision.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Filling in gullies should be stopped as it changes overland flow paths.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Size/number per site.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Minimal requirements to encourage events to lift community.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Look at definition.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Specific rule provisions need review.</strong></td>
<td></td>
</tr>
</tbody>
</table>
Following drafting of the provisions, Council also undertook clause 3 pre-notification consultation. Letters were sent out to over 290 parties explaining the plan change content and seeking comments. Comments were received from 17 parties. Comments received have been grouped into the following key themes:

<table>
<thead>
<tr>
<th>Topic</th>
<th>Submission Feedback</th>
</tr>
</thead>
<tbody>
<tr>
<td>Network Utilities</td>
<td>* Need for greater recognition of infrastructure of regional and national importance, as required by the One Plan.</td>
</tr>
<tr>
<td></td>
<td>* Allow Infrastructure of regional and national importance as Discretionary Activity in Outstanding Natural Features and Landscapes, rather than Non-Complying Activity.</td>
</tr>
<tr>
<td></td>
<td>* Support for the existing draft provisions.</td>
</tr>
<tr>
<td></td>
<td>* Exempt network utilities from the relevant zone rules.</td>
</tr>
<tr>
<td></td>
<td>* Include provisions for electric vehicle charging stations.</td>
</tr>
<tr>
<td></td>
<td>* Include exemptions for network utilities within Outstanding Natural Features and Landscapes where they occur within the existing road.</td>
</tr>
<tr>
<td></td>
<td>* Increase the height limits for masts if more than 1 telecommunications provider using the mast.</td>
</tr>
<tr>
<td></td>
<td>* Recognise that network utilities can impact on farming activities.</td>
</tr>
<tr>
<td></td>
<td>* Change some existing permitted activity rules to discretionary.</td>
</tr>
<tr>
<td></td>
<td>* Change activities that are allowed in the National Grid Corridors.</td>
</tr>
<tr>
<td>Transport</td>
<td>* Change rural access spacing limits.</td>
</tr>
<tr>
<td></td>
<td>* Provide for reserve sensitivity effects for roads and railway lines.</td>
</tr>
<tr>
<td></td>
<td>* Change reference from road network to transport network to recognise the railway network in the District.</td>
</tr>
<tr>
<td></td>
<td>* Include maintenance activities in permitted activities.</td>
</tr>
<tr>
<td></td>
<td>* Retention of draft policies and some permitted activities as drafted.</td>
</tr>
<tr>
<td></td>
<td>* Exclude vehicle crossing movements from industrial and business zones.</td>
</tr>
<tr>
<td></td>
<td>* Clarify parking requirements at service stations associated with workshop bays.</td>
</tr>
<tr>
<td></td>
<td>* Support access standards as drafted, but make access ways 4m wide.</td>
</tr>
<tr>
<td>Noise</td>
<td>* Residential noise limited are too restrictive.</td>
</tr>
<tr>
<td></td>
<td>* Recognise the trend towards country living and the need to continue traditional farming activities.</td>
</tr>
<tr>
<td>Topic</td>
<td>Submission Feedback</td>
</tr>
<tr>
<td>--------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Earthworks</strong></td>
<td>- Greater control required near infrastructure of regional and national importance.</td>
</tr>
<tr>
<td></td>
<td>- More guidance notes regarding potential resource consent from Horizons Regional Council.</td>
</tr>
<tr>
<td></td>
<td>- Include reference to the Greater Wellington Regional Council’s Erosion and Sediment Control Guidelines.</td>
</tr>
<tr>
<td></td>
<td>- Include provisions that dust does not cause a nuisance.</td>
</tr>
<tr>
<td></td>
<td>- Exclude rural zones which are covered by the One Plan.</td>
</tr>
<tr>
<td><strong>Signs</strong></td>
<td>- Exclude the rural zone from the signs provisions.</td>
</tr>
<tr>
<td></td>
<td>- Signs should be fit for purpose.</td>
</tr>
<tr>
<td></td>
<td>- Don’t restrict hazard or risk identification of site safety signs provided for and required by other legislation.</td>
</tr>
<tr>
<td></td>
<td>- Provide for supermarket signs as permitted activity.</td>
</tr>
<tr>
<td><strong>Temporary Activities</strong></td>
<td>- Provide for temporary network utilities.</td>
</tr>
<tr>
<td></td>
<td>- Retain provisions for Temporary Military Activities in the existing plan, but note that new provisions are requested.</td>
</tr>
<tr>
<td></td>
<td>- Include the standards for vibration and construction noise requirements.</td>
</tr>
<tr>
<td><strong>Relocated Buildings</strong></td>
<td>- Include prescribed timeline for having a relocated buildings look presentable and to have landscaping.</td>
</tr>
<tr>
<td></td>
<td>- Support discretionary activity status of relocated buildings in the flood channel zones.</td>
</tr>
<tr>
<td></td>
<td>- Feel the balance between policy making and enforcement needs review. Put more into enforcement.</td>
</tr>
<tr>
<td></td>
<td>- Support the objectives and policies but want remedial works to also “improve” the visual amenity of the surrounding area.</td>
</tr>
<tr>
<td></td>
<td>- List of matters in draft rule 3G 4.1.c are imperative – replace may with shall.</td>
</tr>
<tr>
<td></td>
<td>- Provide for relocated buildings as a permitted activity.</td>
</tr>
<tr>
<td><strong>Definitions</strong></td>
<td>- Retain definition of network utilities as proposed.</td>
</tr>
<tr>
<td></td>
<td>- Retain definition of noise sensitive activity as proposed.</td>
</tr>
<tr>
<td></td>
<td>- Support sign definitions.</td>
</tr>
<tr>
<td></td>
<td>- Question why have definitions for the roads in the roading hierarchy.</td>
</tr>
<tr>
<td>Topic</td>
<td>Submission Feedback</td>
</tr>
<tr>
<td>------------------------</td>
<td>----------------------------------------------------------</td>
</tr>
<tr>
<td></td>
<td>• Amend the earthworks definition to include more farming activities.</td>
</tr>
<tr>
<td></td>
<td>• Amend the definition of National Grid Yard and National Grid Corridor.</td>
</tr>
</tbody>
</table>

### Supporting Technical Evidence

The Council has either completed reports, or commissioned relevant technical reports and supporting documents to inform the development and drafting of PC55. These include:

- Noise Report
- Parking Standards review.

Other supporting reports and studies informing the development of PC55 include:

- Long Term Plan 2015-2025, Manawatu District Council
- State of the Environment 2007, Manawatu District Council
- Manfeild Park rezoning to Manfeild Park Zone and Special Development Zone, Private Plan Change 35 Decision Report 2013, Manawatu District Council
- Plan Change 46 – Feilding Town Centre Decision Report 2014, Manawatu District Council
- Plan Change 45 – Residential Growth Decision Report 2014, Manawatu District Council
- Internal staff review of other Plans and the draft District Wide Rule provisions.

### Noise Report

Nigel Lloyd of Acousafe Consulting and Engineering Ltd was engaged by Council undertake a review of the existing provisions of the District Plan in relation to noise. Mr Lloyd has included recommendations on the noise levels that should be included in the District Plan. These recommendations have been carried over into the proposed rules in Section 3C. Of key importance is the need to reflect the most recent New Zealand Standard for noise management, being NZS:6802:2008 Acoustics – Environmental Noise.

Mr Lloyd also stated that “The recommended noise guidelines in NZ6802:2008 introduce ‘shoulder’ limits that apply in the evening between the daytime and night time limits, which often have a 10dB difference between them. The background sound levels in an area are normally quiet at night with a sudden onset of sound at daybreak with generally higher background sound levels during the day. These start to tail off in the evening as sound levels gradually reduce before becoming quiet again towards midnight. The pattern can vary depending on the remoteness of an area but generally holds true.

If the daytime noise limits applies right up to 10pm then this can allow noise that intrudes onto the background sounds levels as the gradually get quieter. This can cause a nuisance...
to people at important times of the day. People are often at hoe during the evening and relaxing. A shoulder criterion allows the evening noise limit to step down from (say) 55dB $L_{Aeq}$ during the day to 50dB $L_{Aeq}$ in the evening (after 7pm) before becoming 45dB $L_{Aeq}$ after 10pm. We believe that this shoulder criterion is a reasonable approach that should be considered, where appropriate, for the noise limits in the Manawatu District Plan. It could not be used where there is only a 5dB difference between the daytime and night-time $L_{Aeq}$ limit.”

With regards to the rural zone noise limits, Mr Lloyd states “…Normal rural type activities are exempt from the noise rules so these rules are intended to control non-rural type activities or activities that are ancillary in the rural zone. In updating the Rural Zone noise limits it is recommended that the night-time limits are made 5 decibels more strict than the Operative limits (which are also the least strict noise limits recommended by NZS6802:2008)....”

Mr Lloyd’s report also covered topic areas relating to:

- Temporary Military Activities (TMA)
- Wind Farms
- Child Care Centres
- Reverse Sensitivity relating to State Highways and Railways.

With regards to reverse sensitivity, Mr Lloyd has recommended that setbacks be included in the zone rules relating to both roading and rail. On that basis these provisions will be included in the review of those zones to ensure that all requirements for setbacks are in one logical place for plan users.

**Parking Standards Review**

A review of the parking standards against best practice in New Zealand was undertaken. This was necessary given the significant definition changes introduced in Plan Change 45 – Feilding Town Centre. Minor changes were recommended as a result and have been included in the Plan Change.

6.5 **Evaluation of Alternatives and Preferred Option**

The requirements under Section 32 of the RMA were recently amended in the RMA Amendment Act 2013. Section 32 sets out the requirements for preparing and publishing evaluation reports. A proposed plan change must be evaluated firstly in terms of whether the objectives are the most appropriate way to achieve the purpose of the Act, and secondly whether the provisions are the most appropriate way to achieve the objectives of the Plan Change.

To assist in determining whether the alternative is appropriate, the effectiveness and efficiency of the alternative should be considered. The assessment must contain a level of detail that corresponds to the scale and significance of the anticipated effects.

The costs and benefits of the environmental, economic, social and cultural effects anticipated should be identified and assessed. Where practicable, these should be quantified. Any opportunities for economic growth and employment (and whether these
are anticipated to be provided or reduced by the change) must also be assessed. In considering the alternative methods, it is necessary to consider different planning methods to achieve the purpose of the Act, including retaining the status quo, non-regulatory methods, and the proposed plan change.

The section of the document considers alternatives to the proposed option of introducing new objectives, policies and rules relating District wide. The following options evaluated are:

- Option One – Proposed changes as outlined in Part 1, Section 1 of this Report.
- Option Two – Status Quo

### 6.5.1 Utilities

**Proposed Plan Change – Utilities – Option One - Proposed Changes**

This option involves updating the existing regulatory framework of objectives, policies and methods with focused changes that:

- Align the provisions with NES and NPS requirements.
- Align the provisions with the One Plan, particularly around infrastructure of regional or national importance.
- Recognise the change that has occurred in the District over the past decade.
- Recognise the future growth of the District.
- Align the provisions with current NZ Standards.

**Benefits**

Amends the policy framework to recognise the changes over the time in legislative requirements and guidance, particularly relating to the electricity transmission provisions. Of particular relevance has been the need to recognise infrastructure of regional and national importance as listed in the One Plan. This will ensure the District Plan is consistent with, and gives effect to, the One Plan.

Recognises that the current utilities provisions are generally meeting the expectations and anticipated environmental results of the operative District Plan.

Protects residents from adverse effects associated with utilities while still providing for utilities in the District. The small height increase for masts where more than one network utility is using the structure supports the overall desire for co-location of network utilities, particularly for telecommunications.

Ensures consistency with the decision of Plan Change 46 – Feilding Town Centre which changed the structure of chapters in the District Plan. Also ensures consistency with the decisions of Plan Change 45 – Residential Growth which introduced provisions which relate to activities associated with the National Grid.

The provisions have been amended in light of consultation undertaken with Transpower, KiwiRail and other network utilities.

**Costs**
The costs of formulating and implementing new provisions through the plan change process.

Potential loss to the community of heritage and landscape values for the areas listed in Appendix 1 of the operative District Plan if network utilities can’t locate elsewhere.

New provisions restricting network utilities within Outstanding Natural Features and Landscapes will require a resource consent, which will incur processing costs. Network Utilities within an existing road carriageway are excluded from this rule. It is noted that at the time of this plan change only two areas are identified in Appendix 1C in the operative District Plan which reduces the impact of the new provisions.

Efficiency

The preferred option represents and the most efficient and effective response in the management of utilities. Option one recommends making focused changes to issues, objectives, policies and rules.

The approach builds on the current provisions which are generally operating in an efficient manner, without significant environmental effects and therefore do not require significant change. There has been no evidence to suggest that the current provisions have been working ineffectively or that a completely new approach is necessary.

In addition, this option recognises that the most efficient approach to ensuring the ongoing best management of utilities involves a range of methods. Utilities are largely owned by commercial entities or Council with only a small number of utilities owned privately or by a community group. The provisions have been tailored around this make up to ensure every utility is managed in an efficient manner.

Where other management methods are in place, changes are proposed to ensure there is no duplication of function. For example, NPS’s and NES’s elevate the management of some utilities to a National level, removing the need for the District Plan to control this.

Effectiveness

Option one amends the current regulatory framework to ensure the framework is appropriately aligned with sections 5, 6 and 7 of the Act and relevant regional planning documents. Significant changes to the framework are not proposed under this option, other than greater policy guidance for resource consents. Specific provisions are included for infrastructure of regional and national importance to give effect to the One Plan.

The recommended approach includes minor amendments to improve the effectiveness and clarity of the provisions.

Opportunities for Economic Growth

Changes to the provisions maintain the generally permissive nature of the operative District Plan recognising the importance of network utilities to the District’s economy. The changes to the provisions, while minor, will also enable economic growth with some utilities being fundamental components to national, regional and local infrastructure.

The proposed restrictions within Outstanding National Features and Landscapes recognise the significance these few areas have for the District. The rules exclude network utilities where they are within an existing road carriageway. Protecting the values and characteristics of these areas is not considered to have an adverse effect on the opportunities for economic growth in the District given that at the time of this plan change there are two areas listed in Appendix 1C.
**Proposed Manawatu District Plan Chapter 3 District Wide Rules – Section 32 Report**

<table>
<thead>
<tr>
<th><strong>Risk of Acting or not Acting</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Not having enabling provisions would mean that the District Plan is not achieving the promotion of sustainable management as required by the Act, nor giving effect to the One Plan. Therefore the risk of not acting is high.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Appropriateness</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>This option strikes the appropriate balance between updating the existing provisions to recognise the recent changes in different statutory planning frameworks while still keeping the efficient and effective nature of the existing provisions.</td>
</tr>
<tr>
<td>Having a planning regime for those significant areas identified in Appendices 1A, 1B, 1C, 1D, and 1F recognises the importance of the few areas that are specified in the operative the District Plan and ensuring these areas are not destroyed or damaged through development of network utilities within them, except where they occur within an existing road carriageway. This is considered an appropriate planning response.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Proposed Plan Change – Utilities – Option 2</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>The option involves retaining the existing regulatory framework of objectives, policies and methods contained in the operative District Plan. Under this option the provisions in the current chapters throughout the District Plan would be “rolled over”. This option sees no changes made to the objectives, policies and methods.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Benefits</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Initially there would be a reduced cost to Council due to the simpler process of review and the costs associated with preparing and notifying a plan change.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Costs</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>The submission and appeal processes would likely be more costly and complex to Council and stakeholders, given the lack of response to submissions and best practice.</td>
</tr>
<tr>
<td>The existing provisions do not fully recognise the relevant NES and NPS nor the directions in regional planning documents. The operative District Plan does not give effect to the One Plan, particularly the infrastructure of regional and national importance.</td>
</tr>
<tr>
<td>The existing structure of the District Plan is confusing for plan users and they do not recognise some of the provisions in the various chapters.</td>
</tr>
<tr>
<td>Enabling the safe, effective and efficient operation of network utilities is not sufficiently recognised by the current provisions. Nor is there sufficient protection for those areas of significance identified in Appendices 1A, 1B, 1C, 1D, and 1F of the District Plan.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Efficiency</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>The current framework does provide some efficiency as it has been generally successful in managing network utilities. However, this option would not change the objectives, policies and methods which will create inefficiencies and inconsistency with respect to various national and regional documents.</td>
</tr>
</tbody>
</table>
### Effectiveness
The existing objectives and policies do not provide clear guidance on the importance of network utilities compared with the proposed new provisions. The existing provisions do not give effect to the provisions of the One Plan thereby reducing its effectiveness. This option represents a lost opportunity to improve the effectiveness and relevance of the District Plan provisions.

### Opportunities for Economic Growth
This option has the potential to slow or hinder economic growth in the District as the current provisions do not provide clear policy guidance for assessing some network utility activities, nor recognising infrastructure of regional and national importance. This could impact on the future growth of the District by requiring consent applications for minor development and growth.

### Risk of Acting or not Acting
The information provided through the development of this plan change is enough evidence to act and make the required changes. There is a high risk associated with this option in terms of not acting and retaining the existing provisions, particularly as the Council would not be giving effect to the One Plan, nor recent NPS and NES documents.

### Appropriateness
This option is less appropriate than the proposed changes under Option One. This option does not align with recently introduced national and regional documents and does not recognise the importance of enabling network utilities in the District, particularly those that are of regional or national importance as identified in the One Plan. This option will increase uncertainty and costs for network utilities undertaking development.

### Preferred Option
To change the District Plan as outlined in Option One above creating a new section specifically for network utilities in the District Wide Rules Chapter.

### 6.5.2 Transport

<table>
<thead>
<tr>
<th>Proposed Plan Change – Transport – Option One</th>
</tr>
</thead>
<tbody>
<tr>
<td>This option involves updating the existing regulatory framework of objectives, policies and methods with focused changes that:</td>
</tr>
<tr>
<td>• Has clear objectives, policies and methods that cover key transport issues identified.</td>
</tr>
<tr>
<td>• Removes duplication and confusion by refocusing the provisions on key transport issues.</td>
</tr>
<tr>
<td>• Introduces new provisions on amenity values of roads based on form and function, road design and configuration.</td>
</tr>
<tr>
<td>• Elevates the District’s roading hierarchy into the District Plan objectives and policies.</td>
</tr>
<tr>
<td>• Changes some provisions to apply to all roads in the District, rather than just the State Highway network.</td>
</tr>
</tbody>
</table>
Enforces consistency with revised definitions introduced through Plan Change 46 – Feilding Town Centre.

• Reinstatement of the figure showing where parking in the town centre is not required.

• Updating the measurement of sight distances and minimum spacing to be consistent with the New Zealand Transport Agency provisions in the Planning Policy Manual – Appendix 5B Accessway standards and guidelines.

• Providing updated information on the Traffic sight lines at road/rail level crossings.

### Benefits

Amends the policy framework to recognise the transport issues in the District, including both road and rail networks.

Elevates the District’s roading hierarchy into the policy framework, rather than being in an explanation which is currently the case.

Reduces duplication of provisions in the District Plan, particularly in the Appendices.

Provisions have also been amended in light of consultation with KiwiRail.

### Costs

The monetary costs of formulating and implementing revised provisions.

Marginal increase in resource consent costs as rules i.e access standards, may apply to roads that previously had none as they are not a State Highway. However, the proposed provisions will ensure a more consistent approach across the whole District.

### Efficiency

This option represents the most efficient response in the management of transport issues. The removal of duplication and unnecessary provisions creates a more streamlined transport chapter. Having all transport provisions in one section creates efficiencies for plan users who no longer have to flick between different chapters in the District Plan.

### Effectiveness

The new provisions provide greater clarity for plan users. The Parking Standards have been refined and reflect the new definitions used in the District Plan that were introduced in Plan Change 46 – Feilding Town Centre. The need for car parking associated with Education facilities has been revised with provisions required for those centres where there is a requirement of parental supervision. Clarification relating to parking at service stations where there is a workshop service bay is also included. These changes ensure the potential effects associated with parking are appropriately managed.

The addition of policies and rules relating to the roading hierarchy and the visual amenity of roads ensures that future development is ‘fit for purpose’ and based on the form and function of each road in the District. The road cross sections included in the Appendices where introduced through Plan Change 45 – Residential Growth and have been included in the Transport Section for consistency and ease for plan users.

### Opportunities for Economic Growth

This option has a moderate impact on development and thereby economic growth. The Parking Standards have been refined and reflect the parking needs of activities in the District. The
reintroduction of the figure showing where onsite parking is not required will ensure that the character of the town centre is retained. This will enable more land for development in the largest urban area in the District. The inclusion of road cross sections will ensure that roads are developed consistent with their form and function in the roading hierarchy and consistency with the New Zealand Standard for Subdivision and Land Development (NZS4404). This will ensure the roading network is maintained for the primary production activities which is one critical component to economic growth in the District.

**Risk of Acting or not Acting**

The information provided is sufficient evidence to act as proposed. To not act would see inappropriate or unnecessary provisions remain in the District Plan. While this chapter contains minor changes, they do assist in achieving a more effective and efficient approach to transportation planning for the District. The approach is also aligned with the Regional Land Transport Plan and the provisions of the One Plan.

**Appropriateness**

This option strikes the appropriate balance between updating the existing provisions to reduce duplication and ensure the provisions are appropriate for a predominantly rural council in the future. These changes are considered an appropriate response for the transport issues facing the Manawatu District.

### Proposed Plan Change – Transport – Option Two

The option involves retaining the existing Plan provisions. Under this option the provisions in the current District Plan would be “rolled over”. The roading hierarchy would remain as part of an explanation meaning that it has no official status in the District Plan. The provisions for identifying where parking in the town centre is not required onsite would continue to be omitted.

**Benefits**

Initially there would be a reduced cost to Council due to the simpler process of review and the costs associated with preparing and notifying a Plan Change.

**Costs**

Added complexity likely to be incurred through submissions and potential appeal processes given the lack of response to feedback and best practice guidance.

The existing provisions are not consistent with changes in terms and definitions for many activities in the Parking Standard provisions. There are also provisions in the Appendices which currently do not have any corresponding rules or policy framework.

The large level of duplication and potential inconsistencies between chapters of the District Plan would be retained under this option. This creates confusion for plan users.

The current provisions do not respond to the current and future transport issues facing the District nor the Regional Land Transport Strategy. This is of particular concern given the predominant primary production focus the District has.

Does not recognise the roading hierarchy in an appropriate way, or provide clear direction for the future look and feel of roads based on their form and function as specified in the roading...
hierarchy. Retaining the provisions of the roading hierarchy in the explanation may not be considered giving effect to the provisions of the One Plan. This option does not support good decision making and consenting processes.

**Efficiency**

The current framework does provide some efficiency given that transport matters have been provided for. However there are provisions that are out of date, or have no related rules or a policy framework which adds to confusion for plan users.

Without the new provisions the District Plan will also have inconsistencies with other new chapters in the District Plan.

**Effectiveness**

The regulatory framework for transport issues would not be updated to reflect other recent Plan Changes. Inclusion of the roading hierarchy in the explanation means it has no formal status in the District Plan, yet has key rule implications for activities in the existing District Plan. This option represents a lost opportunity to provide clarity and certainty for plan users and to improve the effectiveness of the District Plan.

**Opportunities for Economic Growth**

This option has a low impact for economic growth. The existing access provisions relate only to Arterial roads and do not currently limit economic growth in the District (other than imposing access restrictions on some developments).

**Risk of Acting or not Acting**

The risk of not acting is high with the Plan not reflecting information the Council has to hand regarding the existing transport provisions and the recent plan changes. It does not improve the usability for plan users and does not address the issues about the ineffective ‘status’ of the roading hierarchy arising from its location in an explanation and not embedded into a coherent policy framework.

**Appropriateness**

This Option is less appropriate than the proposed changes under Option One because it continues unnecessary duplication and outdated provisions. It does not reflect comments received by stakeholders during drafting of the plan change.

**Preferred Option**

To change the District Plan as outlined in Option One above to create a new Transport Section in the District Wide Rules Chapter.

### 6.5.3 Noise

**Proposed Plan Change – Noise – Option One**

This option involves updating the existing regulatory framework of objectives, policies and methods with focused changes that:
• Protects the residents night time sleeping hours.
• Aligns the provisions with best practice and updated standards in NZS6802 *Acoustics – Environmental Noise*.
• Specifically identifies those noise sources that are not subject to the noise rules in the District Plan.

**Benefits**

Provisions of the Plan will be updated to align them with current acoustic standards and best practice.

Simplifies how noise levels are identified in the District Plan.

Clearly identifies those noise levels that are not subject to the noise levels in the District Plan. This was not included in the previous District Plan.

**Costs**

The costs of formulating and implementing new planning provisions.

Potentially a marginal increase in resource consent costs as additional regulation has been applied, although some noise sources have been identified as exempt from noise levels which may result in some reduction in consents. Therefore consent costs are considered to be neutral.

**Efficiency**

This option represents the most efficient response in the management of noise. This option involves making targeted changes to issues, objectives, policies and rules.

This approach is based on the current provisions generally operating in an efficient manner and therefore do not require significant changes, other than ensuring consistency with the revised New Zealand Standard for environmental noise. There has been no evidence to suggest that the current provisions have been working ineffectively.

The targeted changes simply bring the noise provisions up to current standards with a greater emphasis on ensuring night time noise does not interrupt sleep. The introduction of a night time shoulder noise limit is consistent with the New Zealand Standard for environmental noise. This is considered to be an efficient approach to managing and controlling noise issues in the District.

**Effectiveness**

Option one amends the current regulatory framework to give effect to updated acoustic standards and noise management practices in New Zealand.

Significant changes to the policy and regulatory framework are not proposed, reiterating that there is nothing to suggest that the current approach is ineffective.

The recommended approach includes amendments to improve the effectiveness of the provisions. Examples include the introduction of provisions to manage noise during night time sleeping hours, and to clarify when some noise sources are exempt from the rules.

**Opportunities for Economic Growth**

The changes to the noise provisions will not result in any great economic benefits, nor will it restrict any sort of economic growth compared with the current noise provisions. The noise
levels remain unchanged as the changes relate to how the noise is measured and alignment with the New Zealand Standard for environmental noise. It is likely that noise levels will be marginally less restrictive under the new measuring approach proposed.

Risk of Acting or not Acting
The risk of not acting is high given the operative District Plan is not consistent with the New Zealand Standard. Council has information on noise issues and has an obligation to ensure current best practice is reflected in the Manawatu District Plan.

Appropriateness
This option strikes the appropriate balance between updating the existing provisions to recognise the recent changes in different statutory frameworks while still keeping the efficient and effective nature of the existing provisions. The introduction of policies to protect the Districts night time sleeping is considered appropriate. It is also appropriate to specifically and clearly identify those noise sources which are intended to be excluded from the noise limits. This provides plan users with greater certainty.

Proposed Plan Change – Noise – Option Two
The option involves retaining the existing regulatory framework of objectives, policies and methods contained in the Operative District Plan. These provisions would be “rolled over”. This option sees no changes made to the objectives, policies and methods.

Benefits
Initially there would be a reduced cost to Council due to the simpler process of review and costs associated with preparing and notifying a plan change.

Costs
The acoustic standards, particularly how noise is measured, would remain outdated and inconsistent with the New Zealand Standard for environmental noise.

There would be no provisions for night time sleeping hours, an integral feature of the New Zealand Standard.

There would be no provisions in the District Plan identifying those noise sources that were intended to be exempt from the noise limits. This would create confusion and potentially unnecessary consenting requirements in the future.

Efficiency
The current framework provides some efficiency as it has been reasonably robust over the past decade, with the exceptions noted in costs above.

This option does not propose changes to the objectives, policies and methods which will create inefficiencies with respect to updated national acoustic standards and best practice nationally.

Effectiveness
The regulatory framework would not be updated to reflect updated acoustic standards and the crucial importance of night time sleeping hours, meaning its effectiveness would be diminished.
## Opportunities for Economic Growth
Retaining the status quo would have limited impact on opportunities for economic growth.

## Risk of Acting or not Acting
The risk of not acting is high given the operative District Plan is not consistent with the New Zealand Standard. Council has information on noise issues and has an obligation to ensure current best practice is reflected in the Manawatu District Plan, as well as consistency with national documents.

## Appropriateness
This option is not appropriate as the noise provisions in the District Plan would remain outdated and not reflect best practice and the New Zealand standard for environmental noise.

## Preferred Option
To change the District Plan as outlined in Option One above by including a specific noise section in the District Wide Rules Chapter.

### 6.5.4 Earthworks

#### Proposed Plan Change – Earthworks – Option One
This option involves developing a regulatory framework for earthworks with focused changes that:

- Provide clear objectives and policies for earthworks.
- Provide clear standards relating to earthworks that are permitted with the different land use zones.
- Align the provisions with NES and NPS requirements.
- Align the provisions with the One Plan.

#### Benefits
The introduction of a policy framework, which is currently absent from the District Plan, provides plan users with greater certainty for the amount of earthworks that can be undertaken in each zone without requiring consent.

Provides a more pro-active approach to managing earthworks, rather than a reactive approach after earthworks have been undertaken.

Removes ambiguity and provides clarity.

#### Costs
Administrative costs of implementing the Plan Change.

Potential increase in resource consents where the area and volume limits for each zone are breached. However, the true extent of these increases is unknown as earthworks are currently permitted where they are ancillary to the activity undertaken on site. The implications of this uncertainty will be monitored and adjustments can be made over the life of the Plan if required.
Efficiency
This option represents the most efficient response to the management of earthworks. The current plan has no objectives or policies to manage earthworks. The District Plan is currently silent on issues associated with earthworks and how they should be managed to avoid adverse effects, particularly on amenity.

The proposed policy and methods are efficient because they will continue to enable the majority of earthworks to be permitted whilst providing a more focussed rule framework to enable adverse effects to be considered and managed accordingly, including that the effects of earthworks are contained onsite. The proposed provisions also complement requirements in the One Plan, and relevant NPS’s and NES’s.

These factors all result in an efficient approach to managing earthworks.

Effectiveness
The proposed policy and methods are effective because they provide clear definitions to determine activity status and a framework to guide the decision making process and consent conditions. The provisions provide plan users with greater certainty and clarity.

Opportunities for Economic Growth
The changes to the earthworks provisions are unlikely to result in any significant economic growth. Nor is it likely to restrict economic growth. Earthworks have been managed through existing consenting provisions. The changes proposed in this option merely provide a clearer policy framework to assess those provisions and aid in the consenting process. The volumes and areas identified in the proposed provisions recognise the general activities in each of the zones and levels at which risk from adverse effects could be triggered. This provides greater certainty for those undertaking earthworks in the District.

Earthworks in the Rural Zone are to be addressed through the upcoming Plan Change 53 - Rural Zone Review.

Risk of Acting or not Acting
There is sufficient information for Council to act. The risk of not acting is high given the need to complete earthworks for future development, particularly in growth areas around Feilding on sloping land. The proposed changes reflect best practice. Inclusion of specific provisions in each zone provide greater clarity.

Appropriateness
This option strikes the appropriate balance between allowing the majority of earthworks of a smaller scale while providing the appropriate framework for earthworks with the potential to cause adverse effects. Including specific objectives and policies is also appropriate given that these are currently lacking in the operative District Plan.

Proposed Plan Change – Earthworks – Option Two
The option involves retaining the existing regulatory framework of rules in the operative District Plan. These provisions would be “rolled over”. This option sees no changes made to the objectives, policies and methods.
**Benefits**
Initially there would be a reduced cost to Council due to the simpler process of review and the costs associated with preparing and notifying a Plan Change.

**Costs**
Does not give effect to the One Plan nor the relevant NES and NPS.
Does not provide a policy framework for considering the effects of earthworks, particularly amenity effects, and ensuring those effects remain onsite and are appropriately managed.
Does not recognise different earthwork areas and volumes based on likely activities in each Zone in the District Plan. This results in a lack of certainty for plan users.

**Efficiency**
This option does not represent the most efficient response to the management of earthworks. The current earthworks provisions lack clarity and with no objective or policy guidance means there is a lack of efficiency in the management of earthworks and their effects.
Leaving the status quo will also be inefficient because the current earthwork provisions do not give effect to the relevant NES, NPS and One Plan.

**Effectiveness**
The current rule provisions are considered to be ineffective as there is no policy guidance for assessing the effects during a resource consent process. They do not adequately address the potential effects earthworks can have on the environment. There is limited protection of the National Grid in the existing District Plan which further reduces its effectiveness in recognising infrastructure of national importance.

**Opportunities for Economic Growth**
Retaining the status quo is considered to have a neutral effect on economic growth.

**Risk of Acting or not Acting**
There is sufficient information for Council to act. The risk of not acting is high given the gaps in the operative District Plan, the lack of certainty for plan users and not giving effect to the provisions of the One Plan. Retaining the existing provisions is likely to create confusion for those undertaking larger scale developments involving earthworks as they will not have clear policy guidance to direct them. There is also a need to include provisions restricting earthworks near the National Grid which is recognised as infrastructure of national importance.

**Appropriateness**
Allowing earthworks associated with an activity that requires consent with no policy guidance is not considered appropriate. This approach does not recognise the potential adverse effects that need to be managed. The lack of policy guidance does not provide any certainty for future plan users about what effects are to be managed and what is considered acceptable in the District. Not changing the provisions also means that the District Plan is not giving effect to the provisions of the One Plan. This is not an appropriate response.

**Preferred Option**
To change the District Plan as outlined in Option One above by including a specific Earthworks section in the District Wide Rules Chapter.

### 6.5.5 Signs

<table>
<thead>
<tr>
<th>Proposed Plan Change – Signs – Option One</th>
</tr>
</thead>
<tbody>
<tr>
<td>This option involves modifying the existing regulatory framework of objectives, policies and methods with focused changes that:</td>
</tr>
<tr>
<td>• Provide clear objectives and policies for signs.</td>
</tr>
<tr>
<td>• Provide clear performance standards relating to signs that are consistent across all zones in the District.</td>
</tr>
<tr>
<td>• Recognise the existing approach to limit the proliferation of signs throughout the District.</td>
</tr>
<tr>
<td>• Provides clear requirements for temporary signs, including electioneering signs.</td>
</tr>
<tr>
<td>• Seeks to protect the District from adverse visual amenity effects from signs.</td>
</tr>
</tbody>
</table>

#### Benefits

Recognises the importance and benefits of signs for readability and sense of place in the District.

Clarifies the size and location of signs within one chapter, rather than scattered through the various Zone provisions. This ensures greater clarity and certainty for plan users.

Includes clear provisions relating to ensuring signs do not distract road users, while recognising improvements in lighting technology since the District Plan was made operative.

Includes revised definitions for signs and temporary signs. The provisions have been amended to reflect recent legislation changes for election signs.

#### Costs

Administrative costs of implementing the Plan Change.

Potential increase in resource consents for signs where a business on a site wishes to have more than one sign, or where a sign is erected that does not relate to the activities on the property it is located on. However, the occurrence of these types of signs is not expected to be high given the low levels of signs in the District.

#### Efficiency

This option represents the most efficient response to the management of signs. The proposed policy and methods are efficient because they continue to enable the construction and use of signs whilst providing a more focussed framework to enable adverse effects to be considered and managed accordingly. There is greater certainty for plan users particularly around temporary signs which is intended to reduce the amount of time spent on sign compliance currently.

#### Effectiveness

The proposed policy and methods are effective because they provide clear rules and standards to determine activity status and a framework to guide the decision making process. These
amendments are also more effective because they give effect to NZTA requirements and recommendations.

**Opportunities for Economic Growth**
The changes to the signs provisions are unlikely to result in any great economic benefits, nor will it restrict any sort of economic growth compared with the current provisions.

**Risk of Acting or not Acting**
The information provided is enough evidence to act as proposed. The risk of not acting could result in adverse amenity effects due to the proliferation and size of signage throughout the District. Recent experiences with temporary signs and the additional compliance time involved at key periods means that staff cannot focus on other key issues. There is sufficient information for Council to act with regards to signs.

**Appropriateness**
This option seeks to simplify the current arrangement whereby signs are dealt with in each zone, with repetitive rules which are currently ambiguous and open to interpretation. The proposed provisions in this option will ensure the proliferation of signs does not occur. This is an appropriate response to the issues surrounding signs raised during the District Plan review process.

### Proposed Plan Change – Signs – Option Two

The option involves retaining the existing regulatory framework of objectives, policies and methods contained in the operative District Plan. These provisions would be “rolled over”. This option sees no changes made to the objectives, policies and methods.

**Benefits**
Initially there would be a reduced cost to Council due to the simpler process of review and the costs associated with preparing and notifying a Plan Change.

**Costs**
The current repetition between all zones would remain, with some limited policy guidance for signs within some areas within the District.

The current ambiguity surrounding temporary signs would prevail meaning more time is spent by staff addressing compliance issues, rather than having a proactive approach of amending the District Plan provisions.

**Efficiency**
The current framework does not provide efficiency given the high level of repetition in the District Plan, and the lack of clarity surrounding temporary signs. This option does not propose changes to the objectives, policies and methods which will see the existing inefficiencies prevail as not all zones have corresponding signage policy guidance.
Effectiveness
The status quo could also lead to the proliferation of signage resulting in a loss of amenity to the District. There is also a high likelihood of additional time of compliance staff being taken up in enforcing ambiguous sign provisions in the operative District Plan.

Opportunities for Economic Growth
Retaining the status quo will not result in any great economic benefits, nor will it restrict any sort of economic growth.

Risk of Acting or not Acting
The information provided is enough evidence to act and make the changes proposed in Option One. Through the review process comments on the ambiguous and confusing nature of the existing signs provisions means that Council has sufficient information in which to amend the District Plan.

Appropriateness
Retaining the existing provisions, with the limitations mentioned above, is not appropriate. Having repetitive provisions such as in the operative District Plan is not consistent with other recent Plan Changes which seek to amend the structure of the District Plan. In addition the policy framework does not provide plan users with sufficient clarity of issues when considering resource consent applications. This is not considered an appropriate response.

Preferred Option
To change the District Plan as outlined in Option One above for a Signs section in the District Wide Rules Chapter.

6.5.6 Temporary Activities

Proposed Plan Change – Temporary Activities – Option One
This option involves modifying the existing regulatory framework of objectives, policies and methods with focused changes that:

- Provide clear objectives and policies for temporary activities.
- Provide clear standards relating to temporary activities.
- Ensure there is a definition for temporary activities, rather than this being included as a rule in the District Plan.
- Align the provisions with the surrounding Districts.
- Recognise the change that has occurred in the District over the past decade.

Benefits
Recognises the importance and benefits of temporary activities to the District economy.
Removes ambiguity and provides clarity by defining temporary activities and then having clear performance standards for these activities.
Inclusion of specific rules for different temporary activities based on effects generated.

Provides a more pro-active approach rather than a re-active approach.

Removes a number of outdated temporary activities and provisions, although provisions for Temporary Military Training Activities are not included in this chapter.

<table>
<thead>
<tr>
<th>Costs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administrative costs of implementing the Plan Change.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Efficiency</th>
</tr>
</thead>
<tbody>
<tr>
<td>This option represents the most efficient response to the management of temporary activities. Option one recommends updating the current temporary activities to provide greater efficiency and clarity for those who organise temporary events on a regular basis.</td>
</tr>
</tbody>
</table>

The proposed policy and methods are efficient because they will continue to enable the operation of temporary activities whilst providing a more focussed rule framework to enable any adverse effects to be considered and managed accordingly. The drafting of the proposed provisions has incorporated recent experiences and are therefore considered to be more efficient than provisions in the operative District Plan. The provisions of the Manfeild Park Zone, which covers temporary military activities, remain unchanged in the District Plan. Temporary military activities elsewhere in the plan will continue to be managed by the existing District Plan provisions and will be covered under Proposed Plan Change 53 – Rural Zone Review.

<table>
<thead>
<tr>
<th>Effectiveness</th>
</tr>
</thead>
<tbody>
<tr>
<td>The proposed policy and methods are effective because they provide clear rules and standards to determine activity status and a framework to guide the decision making process. A revised definition has been included which assists with the clarity and certainty that the provisions provide, rather than having a rule provide this information (which is the current situation).</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Opportunities for Economic Growth</th>
</tr>
</thead>
<tbody>
<tr>
<td>The changes proposed will provide for temporary activities that were previously not provided for as a permitted activity, especially those activities/events that were longer than 2 days. With the use of key function centres and facilities around the Manawatu, this is likely to increase economic growth in the District, albeit for short periods of time. Temporary activities associated with Manfeild Park are already permitted in that Zone and PC55 does not alter that Zone.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Risk of Acting or not Acting</th>
</tr>
</thead>
<tbody>
<tr>
<td>The information provided is enough evidence to act as proposed. The risk of not acting would see a potential increase in the need for resource consents for temporary activities compared with the operative District Plan, particularly for 3 day events covering a long weekend.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Appropriateness</th>
</tr>
</thead>
<tbody>
<tr>
<td>The proposed changes under this option are appropriate and will ensure most temporary activities are permitted and managed to avoid adverse effects. The proposed provisions include an increase in the number of days for many temporary activities. This more appropriately reflects the types of temporary activities that occur in the District, particularly over long weekends. Given the nature of temporary activities the proposed provisions are considered appropriate.</td>
</tr>
</tbody>
</table>
## Proposed Plan Change – Temporary Activities – Option Two

The option seeks to retain the existing regulatory framework contained in the operative District Plan. These provisions could be “rolled over”. This option sees no changes made to the objectives, policies and methods.

### Benefits

Initially there would be a reduced cost to Council due to the simpler process of review and the costs associated with preparing and notifying a Plan Change.

### Costs

Increased enforcement and monitoring costs given the confusion associated with the existing rule defining the temporary activities and the corresponding performance standards which include activities that are not part of the rule definition. The performance standards would also potentially trigger consents given the shorter timeframes in the current District Plan for some activities.

### Efficiency

This option does not represent the most efficient response to the management of temporary activities. Nor does it provide any clear guidance for plan users.

The current temporary activities provisions are outdated and ambiguous, which leads to inefficient management of temporary activities and their effects.

### Effectiveness

There is limited policy guidance in the operative District Plan for temporary activities. This does not provide plan users with certainty about how an activity would be assessed when they cannot meet the performance standards. The ambiguity between the definition rule and the performance standards creates confusion and does not result in an effective District Plan.

### Opportunities for Economic Growth

Leaving the status quo is unlikely to lead to any economic growth.

### Risk of Acting or not Acting

Council has sufficient information in order to act. The risk of not acting and retaining confusing and ambiguous provisions is high.

### Appropriateness

It is not appropriate to implement this option due to the outdated nature of the current temporary activities framework. It does not recognise the entire range of temporary activities and their potential adverse effects, nor does it enable events that occur over long weekends or are of three or four days duration. Key events of that duration would still require consent and this is considered inappropriate given the likely scale of effects.

### Preferred Option

To change the District Plan as outlined in Option One above to include a specific Temporary Activities section in the District Wide Rules Chapter.
### 6.5.7 Relocated Buildings

#### Proposed Plan Change – Relocated Buildings – Option One

This option involves modifying the existing regulatory framework of methods and introduces:

- Provide clear objectives and policies for relocated buildings.
- Continue with controlled activity for relocated buildings subject to specific standards, and including a non-notification clause for these consents.
- Include a new restricted discretionary activity rule for those activities that cannot meet the controlled activity standards.
- Include a new definition for relocated building.

#### Benefits

Recognises the use of relocated buildings within the District, while ensuring appropriate control measures are in place to control the effects of relocated buildings.

Provides a clear objective and policies specific to relocated buildings which is not currently provided in the District Plan.

Provides for the non-notification of consents for relocated buildings.

Inclusion of a new definition removes confusion and any ambiguity.

#### Costs

Administrative costs of implementing the Plan Change.

#### Efficiency

The proposed objective, policies and rules are efficient because they will continue to enable the relocation of buildings within the District whilst providing a more focussed rule framework to enable any adverse effects to be considered and managed accordingly. The drafting of the proposed provisions has incorporated recent experiences within the District and are therefore considered to be more efficient than the operative District Plan.

The inclusion of the non-notification of controlled activities will create a more efficient consenting process and provide plan users with more certainty.

#### Effectiveness

The proposed objective, policies and rules are effective because they provide clear standards to determine activity status and a framework to guide the decision making process. The new rule structure is also a more effective approach recognising potential effects from the relocation of buildings that the Council has experienced in recent years.

#### Opportunities for Economic Growth

The changes to the provisions may enable some limited economic growth although this is not considered to be that different from the existing situation.

#### Risk of Acting or not Acting
Council is aware of changes to relocated building provisions for other Councils. A careful review has been undertaken, taking into account recent Council experiences and community submissions, which has resulted in the proposed changes. Council has sufficient information with which to act.

**Appropriateness**

The proposed changes under this option will ensure relocated buildings are appropriately managed, with clear expectations around the non-notification of applications for relocated buildings. The mix of provisions recognise the balance between enabling a different type of residential development and ensuring effects are managed and avoided.

### Proposed Plan Change – Relocated Buildings– Option Two

The option seeks to retain the existing regulatory framework contained in the operative District Plan. These provisions could be “rolled over”. This option sees no changes made to the rules for relocated buildings.

**Benefits**

Initially there would be a reduced cost to Council due to the simpler process of review and the costs associated with preparing and notifying a Plan Change.

**Costs**

The lack of policy guidance would continue.

There would be no non-notification clause meaning this would continue to be at Council’s discretion in relation to a consent for a relocated building. This potentially increases compliance costs for plan users.

No new definition would be included in the plan, so there would remain confusion on what was a relocated building.

**Efficiency**

This option does not represent the most efficient response to the management of relocated buildings. All relocated buildings would require consent with a lack of policy guidance to assist decision making. This is not considered to be an efficient approach to the issues.

**Effectiveness**

There is limited policy guidance in the operative District Plan for relocated buildings, and there is no definition. This does not provide plan users with certainty on how an activity would be assessed. This is not an effective District Plan approach.

**Opportunities for Economic Growth**

Leaving the status quo is likely to have a neutral impact on economic growth.

**Risk of Acting or not Acting**

Council has sufficient information in order to act. The risk of not acting and retaining out of date provisions is high.

**Appropriateness**
Retaining the existing provisions, with the limitations noted above, is not appropriate. The current provisions do not provide sufficient guidance for decision making, nor provide for the non-notification of controlled activities.

**Preferred Option**

To change the District Plan as outlined in Option One above include a specific Relocated Buildings section in the District Wide Rules Chapter.

### 6.6 Implementation of Preferred Option

Section 32(1)(a) of the RMA requires an assessment of the extent to which each objective is the most appropriate to achieve the purpose of the Act. The intention of this Plan Change is to ensure the District Plan is consistent with the purpose of the Act.

Section 32(1)(b) of the RMA requires an assessment on whether the provisions in the proposal are the most appropriate to achieve the objectives.

As discussed above, this Plan Change involves redrafting provisions to all the eight topic areas into one District Wide Rules chapter. The chapter follows the new format of the District Plan introduced by Plan Change 46 – Feilding Town Centre. In each sub-chapter objectives, policies and rules are identified. The existing plan rules have largely been retained with minor changes to ensure consistency with other plan changes.

The level of detailed analysis undertaken for the evaluation of the proposed objectives and provisions has been determined by an assessment of the scale and significance of the proposed changes. In making this assessment regard has been had to the following:

- Whether the provisions are a significant variance from the existing baseline.
- Effects on matters of national importance.
- Adverse effects on those in the District with specific interest.
- Involve effects that have been considered implicitly or explicitly by higher order documents.
- Increased costs or restrictions on individuals, communities or businesses.

### 6.7 Assessment of Proposed Objectives, Policies and Rules

#### 6.7.1 Network Utilities

| **Objective 1:** To ensure network utilities are designed, located, constructed, operated, upgraded and maintained in a manner that ensures the efficient use of natural and physical resources while recognising the environment they are located in. |
| **Objective 2:** To protect the operation of network utilities, including infrastructure of regional and national importance, from the potential adverse effects of subdivision, use, development and other land use activities. |
Objective 3: To restrict, except within an existing road carriageway, the development of network utilities within areas of significant heritage and landscape value recognising the values of these important areas.

Objective 1, 2 and 3 all recognise the importance of network utilities but that they can have adverse effects on the environment. The location and operation of network utilities can also be affected by other subdivision and land development.

The objectives also recognise that utilities are necessary and essential to the economic and social well-being of the District. This is specifically recognised in Objective 2 which protects utilities from adverse effects associated with subdivision and land use activities. This is particularly important for infrastructure of regional or national importance such as the National Grid and our road and rail networks. These provisions also give effect to the directions contained within the One Plan.

Objective 3 seeks to specifically restrict development in areas of significant heritage and landscape areas recognising the values of these areas. The exception to this is within an existing road carriageway. This is to recognise that some utilities are or can be included in the road to lessen the impacts on significant areas. This recognises that the road is already there and is part of the landscape, whereas a new network utility could have significant adverse effect. This is an appropriate response to giving effect to the requirements of Part 2 of the Act.

Therefore, the objectives are fit for purpose and provide an effective and efficient platform for achieving the purpose of the Act.

Objective 1: To ensure network utilities are designed, located, constructed, operated, upgraded and maintained in a manner that ensures the efficient use of natural and physical resources while recognising the environment they are located in.

Policies

1.1 To enable the establishment, operation, maintenance and minor upgrading of network utilities.

1.2 To encourage network utility operators to coordinate and co-locate services or to locate within the existing roading network where possible to minimise potential cumulative effects.

1.3 To require that all new cables and lines, including electricity distribution lines (but not the National Grid) are installed underground.

1.4 To recognise the locational, technical and operational requirements of network utilities and the contribution they make to the functioning and wellbeing of the community.

1.5 To ensure network utilities are constructed and located in a manner sensitive to the amenity and landscape values where they are located.

Evaluation of Efficiency and Effectiveness Taking Account of Benefits, Costs and Risk

Efficiency and Effectiveness

The policy framework has been modified to deliver a more efficient and effective approach in the management of network utilities. The changes have been made to
ensure consistency with the new District Plan structure introduced by Plan Change 46 – Feilding Town Centre.

The targeted policies ensure that the establishment, operation, maintenance and minor upgrading of network utilities is still enabled in the District as it is now under the operative District Plan. The establishment, operation, maintenance and upgrading of network utilities was generally working efficiently and effectively so there was no great need to significantly modify the policies. However greater clarity has been provided for plan users. There is an existing definition of minor upgrading in the District Plan which provides further certainty to plan users.

Policy 1.2 reflects current industry best practice and will ultimately result in fewer masts and towers in the District. If network utilities can co-locate then one tower is required in an area, rather than 3 or 4 in close proximity.

Policy 1.3 seeks to ensure new cables and lines are underground, excluding the National Grid where this is not appropriate. This policy seeks to further enhance the visual amenity of the District. Policy 1.4 recognises the importance of network utilities to future growth and wellbeing of the local community.

Policy 1.5 recognises that network utilities are to be constructed and located in a manner that is sensitive to the environment they are located in. This reflects the large open character of the rural zone and the small townships with the District.

Collectively these policies will achieve Objective 1.

Benefits & Costs

Policies 1.1-1.5 seek to enable the management of network utilities in the District while recognising the environment they are located in. The large majority of network utilities are permitted in the District and these policies recognise the impact of having these for the growth and development of the District in the future.

Community expectations for high quality services provided by network utilities is significant, such as improved wastewater treatment plants, broadband services and a well maintained road network. Inclusion of enabling policies reflects these expectations. Given that most activities are permitted there are marginal consenting costs. Requiring underground cables enables those specified zones have less overhead clutter and helps to improve the amenity within the zones.

Risk

The risk of not acting will result in network utilities not being appropriately provided for and managed in a way to mitigate adverse environmental effects. The efficient and effective management of critical infrastructure will not be achieved without clear policy guidance.

Alignment with Objective 1

The purpose of the proposed polices is to ensure utilities are efficient and effective in terms of their use of natural and physical resources. Policies address the importance of network utilities to the health and wellbeing of the community and potential future growth. There is an ongoing requirement for network utilities to be operated, upgraded
and maintained to ensure service delivery to the residents within and communities beyond the District.

The approach above is considered consistent with achieving the outcomes sought by Objective 1.

**Objective 2: To protect the operation of network utilities, including infrastructure of regional and national importance, from the potential adverse effects of subdivision, use, development and other land use activities.**

**Policies**

2.1 To ensure that any vegetation is planted and maintained to avoid interference with network utilities, including transmission lines and the National Grid Yard.

2.2 To require appropriate separation of activities are maintained to enable the safe operation of network utilities, and avoid reverse sensitivity issues.

2.3 To ensure subdivision and development is designed to avoid adverse effects on the operation, access, maintenance and upgrading of network utilities.

**Evaluation of Efficiency and Effectiveness Taking Account of Benefits, Costs and Risk**

**Efficiency and Effectiveness**

The policy framework has been modified to deliver a more efficient and effective approach in the management of activities that can potentially affect utilities, particularly vegetation growth and subdivision. The change in the objective to reference infrastructure of regional and national importance further clarifies that these policies also apply to infrastructure of regional and national importance, consistent with the provisions of the One Plan.

The targeted policies ensure that existing utilities are not compromised by new land use activities resulting in reverse sensitivity issues. This recognises the importance of network utilities to the growth and wellbeing of the community. The policies allow existing utilities to operate without the risk of new activities impinging on existing use rights.

As development, in particular subdivision, occurs in the District, it is important that existing network utilities are afforded specific protection to ensure their ongoing operation. These policies are critical to achieve Objective 2 and to give effect to the provisions of the One Plan.

**Benefits & Costs**

The benefit of these policies is that they establish a policy framework for controlling development where it has a potential impact on a network utility. New growth areas have been identified around Feilding and it is important that future development does not hinder the efficient operation of network utilities in the future. Ensuring existing utilities are provided for and protected will safeguard the District's social, cultural and economic wellbeing.

The costs associated with these policies relates largely to how future subdivision and development is planned and undertaken. Careful design will be required when near
network utilities, particularly infrastructure of regional and national importance. This is an appropriate balance given the importance of network utilities to community wellbeing and growth.

**Risk**

The existing policies in the District Plan are vague on the matters covered by these policies. The proposed policies are more explicit. Network Utilities are critical for the overall functioning of communities and these policies seek to recognise this. Revised policies provide clarity and result in less risk to network utilities in the future.

**Alignment with Objective 2**

The purpose of the proposed policies is to ensure existing utilities can still operate in an efficient and effective manner if new land use activities arise near existing utilities. This is particularly the case for new growth areas around Feilding. Recognition of vegetation near the National Grid Yard is particularly important to the ongoing operation of this nationally important infrastructure. This approach is considered consistent with achieving the outcomes sought by Objective 2.

**Objective 3:** To restrict, except within an existing road carriageway, the development of network utilities within areas of significant heritage and landscape value recognising the values of these important areas.

**Policies**

3.1 To protect the values that cause an Outstanding Natural Feature and Landscape identified in Appendix 1C from inappropriate subdivision, use and development.

3.2 To limit the development of network utilities, except within an existing road carriageway, within Outstanding Natural Features and Landscapes in Appendix 1A (Wetlands, Lakes, River and their Margins), 1B (Significant Areas of Indigenous Forest/Vegetation (excluding Reserves)), 1D (Trees with Heritage Value) and 1F (Sites with Heritage Value) unless there is no alternative location.

**Evaluation of Efficiency and Effectiveness Taking Account of Benefits, Costs and Risk**

**Efficiency and Effectiveness**

Council has two Outstanding Natural Features and Landscapes identified in the District Plan and it is important that they are protected from the development of network utilities. The existing Outstanding Natural Features and Landscapes in the District Plan are Concretion Terrace (Peka Road) and Glow Worm Caves (Limestone Road, Apiti).

Policy 3.2 does recognise that consideration of other alternative locations should be made before seeking to develop a network utility within an Outstanding Natural Feature or Landscape or other area of significance listed in the Plan. An exclusion has been added so that a network utility that is within the existing road carriageway is not captured by these policies. This is to recognise that the road is already there and is part of the landscape, whereas a new network utility is not part of the landscape and could have significant adverse effect. These policies recognise that there are times where there is no alternative but to develop a network utility within an Outstanding Natural Feature or Landscape. This is consistent with and gives effect to the One Plan.
The proposed policies are new and not currently provided for in the District Plan. They have been introduced to ensure the values that cause each natural feature or landscape to be significant are protected. If the values are destroyed or damaged the few Outstanding Natural Features or Landscapes in the District Plan would be potentially lost forever. The above policies are considered to be an efficient and effective means to control the potential effects on Outstanding Natural Features or Landscapes and to achieve Objective 3. They also give effect to the One Plan.

Benefits & Costs

The proposed policies provide a framework for assessing development within those areas identified as having significance which is currently absent from the District Plan. Costs will be incurred by those wishing to develop within an Outstanding Natural Feature or Landscape. Given that the Plan only identifies two sites, the costs of this change is considered to be appropriate.

Risk

While the risk of development in such areas is low, it is important to protect those values that make a natural feature or landscape outstanding. This ensures the Council is meeting its obligations under the Act and the One Plan. The risk of not acting will result in the potential for adverse effects on Outstanding Natural Features and Landscapes.

Alignment with Objective 3

The purpose of the proposed policy is to ensure network utilities are located in areas that do not create adverse effects on Outstanding Natural Features and Landscapes. This is necessary to achieving council functions under the Act and to give effect to the One Plan. This approach is considered consistent with achieving the outcomes sought by Objective 3.

### Key Provisions

<table>
<thead>
<tr>
<th>Permitted Activity Rule 3A.4.1:</th>
<th>Standards for Permitted Activities Rule 3A.4.2:</th>
</tr>
</thead>
<tbody>
<tr>
<td>The following network utilities are permitted activities throughout the District, provided that they comply with the standards in Rule 3A.4.2 below:</td>
<td>For all zones, the permitted activities specified in Rule 3A.4.1 above must comply with the following standards:</td>
</tr>
<tr>
<td>a. The operation, maintenance, minor upgrading or repair of network utilities existing as at [add notification date] or</td>
<td>a. New network utilities must not exceed a maximum height of</td>
</tr>
<tr>
<td></td>
<td>i. 9m within the Residential or Village Zone, or</td>
</tr>
<tr>
<td></td>
<td>ii. 20m for all other zones.</td>
</tr>
<tr>
<td>Guidance Note: antennas or lightning rods that do not extend 3m above the height of the building or mast are excluded from the 9m or 20m limit above. The mast heights provided in i and ii above can be increased by 5m if the mast is used by more than one telecommunications provider. Refer also to Clause f relating to Transmission line requirements.</td>
<td></td>
</tr>
</tbody>
</table>
which have been lawfully established.

b. Construction, operation, maintenance, realignment and upgrading of roads and railway lines within the existing road reserve or railway corridor.

c. Radiocommunication and/or telecommunication facilities, cables and lines, including those underground.

d. Underground pumping stations and pipe networks for the conveyance or drainage of water or sewage, and necessary incidental equipment.

e. Water storage tanks, reservoirs and wells, including pump stations.

f. Pipes for the distribution (but not transmission) of natural or manufactured gas at a gauge pressure not exceeding 2000kPa including any necessary ancillary equipment such as household connections and compressor stations.

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>b.</td>
<td>Any mast with a height of more than 9m must not be located within 20m of any site zoned Residential or Village.</td>
</tr>
<tr>
<td>c.</td>
<td>All masts must be set back 20m from a road on any site zoned Rural or Flood Channel.</td>
</tr>
<tr>
<td>d.</td>
<td>No mast, building or structure may be located closer than 5m to any site boundary. This 5m yard does not apply to utility buildings with a floor area of less than 10m², or to overhead lines and cables.</td>
</tr>
<tr>
<td>e.</td>
<td>Telecommunication cabinets must not exceed 10m² in area in all zones, except in Flood Channel Zone where cabinets must not exceed 5m² in area.</td>
</tr>
<tr>
<td>f.</td>
<td>Poles or towers associated with electricity transmission must not exceed a height of:</td>
</tr>
<tr>
<td></td>
<td>i. 12m in the Residential and Inner Business Zones, or</td>
</tr>
<tr>
<td></td>
<td>ii. 20m in all other zones.</td>
</tr>
<tr>
<td>g.</td>
<td>Buildings and structures within an electricity transmission corridor must:</td>
</tr>
<tr>
<td></td>
<td>i. Comply with the New Zealand Code of Practice for Electrical Safe Distances 2001 (NZECP34:2001), and</td>
</tr>
<tr>
<td></td>
<td>ii. Not exceed a maximum height of 2.5m and an area of 10m².</td>
</tr>
<tr>
<td>h.</td>
<td>Any radiocommunication and/or telecommunication facility must be designed and operated to comply with the maximum exposure levels (3kHz to 300 GHz) as prescribed by NZ Standard NZS2772.1:1999 Radiofrequency fields.</td>
</tr>
<tr>
<td>i.</td>
<td>No dish antenna will exceed a diameter of:</td>
</tr>
<tr>
<td></td>
<td>i. 2.5 metres in the Residential Zone, or</td>
</tr>
<tr>
<td></td>
<td>ii. 5m in all other zones.</td>
</tr>
<tr>
<td>j.</td>
<td>Where network utilities are located underground, any disturbance of the ground surface and any vegetation must be reinstated or replaced upon completion of the works within the first available planting season.</td>
</tr>
</tbody>
</table>

**Guidance Note:** The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (2011) also applies to...
g. The construction, operation, maintenance and upgrading of any new electricity lines up to and including 110kV and associated transformers and switchgear.

h. Soil conservation, erosion protection, river control or flood protection works undertaken by, or on behalf of Horizons Regional Council.

i. Land drainage, stormwater control or irrigation works including pump stations.

j. Railway crossing warning devices and barrier arms.

k. Trig stations and survey marks.

l. Navigational aids, lighthouses and beacons.

m. Meteorological instruments and facilities.

n. Decommissioning and removal of utilities.

o. Electric vehicle charging stations.

Guidance Notes:
1. The provisions of the National.

Guidance Note:
1. Vegetation planted within an electricity transmission corridor should be selected and managed to ensure that it will not result in vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.

2. The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) contains restrictions on the location of structures and activities in relation to the lines.
2. Earthworks are also regulated by the Manawatu-Wanganui Regional Council and a resource consent maybe required under the rules of the One Plan.

3. The National Environmental Standard for Electricity Transmission Activities (2010) (NESETA) sets out a national framework of permission and consent requirements for activities on National Grid lines existing at 14 January 2010. Activities include the operation, maintenance and upgrading of existing lines but exclude the development of new lines (post 14 January 2010) and substations. The District Plan must not be in conflict with nor duplicate

3. Buildings, structures and other activities near transmission gas lines should be managed according to the Operating Code Standard for Pipelines – Gas and Petroleum (NZS/AS 2885) and the Gas Distribution Networks (NZS 5258:2003).

4. Compliance with the permitted activity standards in Rule 3A.4.2 does not necessarily ensure compliance with the relevant code of practice identified above.

5. Sounds generated by construction, maintenance and demolition activities will be assessed, predicted, measured, managed and controlled by reference to NZS6803:1999 Acoustics – Construction Noise.
the provisions of the NESETA.

4. Vegetation and planting around Transmission Lines (National Grid) shall comply with the Electricity (Hazards from Trees) Regulations 2003.

5. The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) contains restrictions on the location of structures and activities in relation to the lines.

Alignment with Objectives

A review of all existing provisions and activity standards was undertaken to determine whether they were most appropriate for implementing policies and achieving the objectives developed as part of the review process.

The review concluded that generally the current permitted activities and corresponding performance standards were still considered the most efficient and effective method in managing network utilities in the District. Therefore, any changes focused on ensuring network utility provisions and standards were in line with current New Zealand Standards and reflect best practice.

Minor changes have been made to enable a relaxation of mast heights where two or more telecommunications providers use the same mast. This recognises that slightly higher masts are needed to avoid interference between providers. Providing for electric vehicle charging stations reflects progress in technology and that more people are purchasing electric cars. Restrictions in size and height will ensure the structures involved are fit for purpose without being domineering and effecting visual amenity of the area these are located in.

Provisions and standards relating to the permitted operation, maintenance, minor upgrade or repair of utilities have remained recognising the importance of existing utilities to the District. The provisions and standards are consistent with Policies 1.1 and 1.4.

A number of provisions and standards permit and encourage the location of utilities within the road reserve. For example, permitted activity standard 3A.4.2 (k) allows for any construction work associated with any infrastructure in the road reserve. The
provisions and standards recognise the already high number of utilities located within road reserves and seeks to maintain provisions that have been working well. The provisions and standards are therefore consistent with Policies 1.2 and 1.4.

A number of permitted activity standards seek to control the separation distances of network utilities from certain activities and reverse sensitivity. For example, permitted activity standard 3A.4.2 (d) requires no building, mast or structure to be within 5m of any site boundary or road frontage. Such standards safeguard already established activities from potential adverse effects associated with network utilities. References are also made to the New Zealand Code of Practice for Electrical Safe Distances throughout the standards bring them into line with current requirements. The provisions and standards relating to separation distances align with Policies 2.1, 2.2 and 2.3.

Standards relating to radiocommunication and/or telecommunication facilities and exposure levels to radiofrequency fields has been retained. While there are changes proposed to the National Environmental Standard for Telecommunication Facilities (NESTF)(2008) in relation to this matter, they are not in force. The current NESTF only provides for telecommunication facilities. On that basis it is recommended to retain this provision, recognising that the NES overrides the provisions of the District Plan.

Additional guidance notes have been included in the Permitted Activity Rule (Rule 3A.4.1) and Standards for Permitted Activities (Rule 3A.4.2) to provide plan users with additional clarification and assistance. There are a number of New Zealand Standards and National Environmental Standards which apply to network utilities. Some of these override the provisions of the District Plan and it is important plan users are given this guidance.

Overall the permitted activity rules and performance standards are consistent with and gives effect to Objectives 1, 2 and 3.

<table>
<thead>
<tr>
<th>Key Provisions</th>
<th>Rule Provisions</th>
</tr>
</thead>
</table>
| Restricted Discretionary Activity Rule 3A.4.3 | The following activities are Restricted Discretionary Activities in respect to network utilities:  
   a. Any permitted activity that does not comply with any of the relevant standards in Rule 3A.4.2.  

   For these activities, the Council has restricted its discretion to considering the following matters:  
   o scale of built form and location on site, including height  
   o screening, storage and landscaping  
   o traffic generation, site access and parking  
   o noise and vibration  
   o signage  
   o lighting  
   o effects on heritage |
known effects on the health and safety of nearby residents.

In determining whether to grant a resource consent and what conditions to impose, the Council will, in addition to the objectives and policies of the Network Utilities section and the relevant zone, assess any application in terms of the following assessment criteria:

i. the proposed benefits of the network utility proposal to the wider community.

ii. whether the activity will result in any adverse effects on amenity values of neighbouring properties or the character of the zone in which the activity is proposed.

iii. whether the application remains consistent with the intention of the standard(s) it infringes.

iv. the degree to which the non-compliance can be mitigated to ensure the effects are internalised to the site.

v. the degree to which co-location has been considered and is possible.

vi. whether the activity impacts on the built heritage of the District and how such impacts are mitigated.

vii. the degree to which the proposed location, site or route is better than alternative locations, sites, or routes.

viii. the degree to which the proposed facility may affect the performance of other utilities nearby.

ix. the technical and operational needs for the efficient functioning of the network utility.

Alignment with Objectives

This rule is consistent with the operative District Plan which requires a restricted discretionary activity consent for activities that cannot meet the performance standards in Rule 3A.4.2. The key difference between the operative rule and this proposed rule is some of the additional assessment criteria to provide greater guidance for decision makers. The proposed provisions are worded similarly to recent plan changes to ensure overall District Plan consistency. The intent of the proposed provisions remain similar to that of the operative District Plan.

The minor amendments to the current rule is considered the most efficient and effective method for managing network utilities in the District where they are unable to meet the permitted activity conditions. This reflects the importance of network utilities to the wellbeing and growth of the District. This rule is also considered to give effect to the One Plan.

Overall this rule is consistent with and gives effect to Objectives 1 and 2.
<table>
<thead>
<tr>
<th>Key Provisions</th>
<th>Rule Provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Discretionary Activity Rule 3A.4.4</td>
<td>Any network utility not otherwise specified as Permitted, Restricted Discretionary or Non-Complying Activity, or is not specifically provided for in this Plan, shall be a Discretionary Activity.</td>
</tr>
</tbody>
</table>

### Alignment with Objectives

The operative District Plan includes a ‘default’ rule for any activity that is not otherwise provided for as a Discretionary Activity. This rule essentially continues that same approach. This rule provides for only those activities not specified and is often those activities not contemplated during drafting. This could be dramatic changes in technology or completely new technology or approaches to network utilities. The discretionary activity classification for such occurrences is considered to be appropriate and allows a case by case assessment to be made. This rule is aligned with the three objectives and will ensure these activities are consistent with Part 2 of the Act.

<table>
<thead>
<tr>
<th>Key Provisions</th>
<th>Rule Provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-complying Activity Rule 3A.4.5</td>
<td>Any network utility located within an Outstanding Natural Feature or Landscape in Appendix 1C is a Non-Complying Activity.</td>
</tr>
</tbody>
</table>

### Alignment with Objectives

Rule 3A.4.5 stipulates that any network utility located within an Outstanding Natural Feature or Landscape as specified in the current District Plan is a Non-Complying Activity. The intention of this rule is to protect the Districts’ two Outstanding Natural Features and Landscapes from activities that are likely to damage or destroy those values that make these areas outstanding. This rule also gives effects to the One Plan.

The Non-Complying Activity status reflects the Council’s clear expectation that network utilities not be located in these landscape or features which have been specifically identified in the District Plan. The provision is consistent and seeks to achieve with Objective 3 and Policy 3.1.

### 6.7.2 Transport

**Objective 1:** To maintain and enhance the safe, efficient and integrated operation of the transport network within the District.

**Objective 2:** To protect the roading network, as identified in Appendix 3B.1, from the potential adverse effects of all land use activities.

**Objective 3:** To mitigate the adverse effects of roads and vehicles on amenity values of the District.
The proposed objectives have a focus of protecting the transport network, which includes both road and rail networks in the District.

Objective 1 is essentially the same as the operative District Plan provisions and continues to be appropriate for managing the effects of activities on the safe, efficient and integrated operation of the transport network. The Objective has been amended for this plan change to refer to the transport network to recognise the importance of both the road and rail networks to the growth and wellbeing of the community.

Objective 2 essentially elevates the roading hierarchy from being in an explanation to the Objective to ensure they have legal effect in the District Plan. Having this new objective introduced into the District Plan illustrates how important it is to have a roading network whereby roads function and are designed for their place in the hierarchy. The roading hierarchy is an important tool for Council when managing the roads and identifying appropriate controls around access and formation.

Objective 3 reflects recent changes to the operative District Plan where greater focus and emphasis has been placed on road amenity and how certain roads should be designed to be in keeping with the surrounding environment. The introduction of the road cross sections through Plan Change 45 – Residential Growth is the case in point.

Council acknowledges that the One Network Road Classification may change the status of some of the roads within the roading hierarchy in the future. The reclassification of the roading network was not completed prior to the notification of this plan change. Council may be required to complete a separate plan change to address any changes in classification following this plan change.

Collectively these objectives provide an effective and efficient platform for achieving sustainable management and ensuring the safe and efficient operation of the transport network in the District. This is essentially to enable growth, particularly of the primary production industry which is a significant contributor to the District’s economy. Therefore the objectives are considered to be fit for purpose and provide an effective and efficient platform for achieving the purpose of the Act.

Objective 1: To maintain and enhance the safe, efficient, and integrated operation of the transport network within the District.

Policies

1.1 To ensure that the adverse effects of vehicle movements to and from roads are managed by:

   a. Requiring appropriate sight lines for vehicles at railway crossings, at intersections and at property entrances and exits.

   b. Ensuring that vehicle crossings are formed to a safety standard appropriate to the function, as defined in the roading hierarchy in Appendix 3B.1, of the road concerned.

   c. Preventing vegetation, signs and structures from obscuring official signs or posing a risk to road users.
d. Providing appropriate facilities for pedestrians and cyclists, particularly in urban areas.

e. Ensuring that new vegetation plantings are managed to maintain adequate visibility at road intersections and property accesses, and to minimise icing of roads.

1.2 To ensure that the adverse effects of vehicle movements associated with access ways are managed by:

a. Limiting the number of new vehicle crossings onto all roads.

b. Requiring all accesses onto roads to be built to a standard that is appropriate for their intended use.

c. Ensuring that property accesses are spaced, constructed and used in a manner which does not disrupt traffic flows.

d. Ensuring that traffic generation to and from sites is managed through car equivalent movements to ensure traffic, including heavy vehicles, are compatible with the roading network.

1.3 To ensure development setbacks near railway level crossings are achieved to maintain sight distances as specified in Appendix 3B.5.

---

**Evaluation of Efficiency and Effectiveness Taking Account of Benefits, Costs and Risk**

**Efficiency and Effectiveness**

The policy framework above has been modified slightly compared with the operative District Plan. The current provisions have been working and there is no significant reason that warranted a complete change in the policy provisions. The proposed changes ensure consistency with other recent plan changes.

Policy 1.1 covers vehicle movements to and from roads where careful management is required, particularly on the busy rural roads in the District. There are some situations where vegetation or signage can obstruct the view of road users and this has the potential to cause accidents.

Policy 1.2 seeks to manage effects through limiting vehicle crossings and ensuring property accesses are spaced appropriately. The intent of these provisions has not changed through the District Plan review process and remains an effective way to manage any potential effects from vehicle crossings on key roads in the District.

Policy 1.3 continues previous policy in the District Plan and specifically recognises that the North Island Main Trunk Line passes through the District. Retaining these provisions recognises that level crossings can be a source of conflict with road users and sight distances are required to avoid adverse effects. These provisions have been updated slightly as a result of consultation with Kiwirail.

Overall the minor policy changes proposed above are considered to be an efficient and effective approach to achieving the objectives and ultimately the Act. The provisions are essential to ensuring the road network is maintained and operates safely.

**Benefits & Costs**
Given that these provisions are generally similar to the existing provisions the benefits and costs are already well known. Little change from existing benefits and costs is anticipated by these proposed policies. Many activities will continue to be permitted meaning no greater cost to growth in the District.

**Risk**

A review of the existing provisions has resulted in minor changes to the policy to improve the effectiveness and efficiency of them and to ensure consistent wording approach with the decisions of Plan Change 46 – Feilding Town Centre. The risk associated with the proposed policies giving effect to Objective 1 is considered to be low.

**Alignment with Objective 1**

These provisions guide development and ensure that accesses and vehicle movements are safe and appropriate to enable sustainable development in the District. The safe and efficient operation of the roading and rail network is critical for the predominant primary production industry in the District. Overall it is considered that the above policies are consistent with achieving the outcomes sought by Objective 2, and therefore the Act.

---

**Objective 2: To protect the roading network, as identified in Appendix 3B.1, from the potential adverse effects of all land use activities.**

**Policies**

2.1 To establish and maintain a roading hierarchy for roads in the District.

2.2 To recognise the importance of maintaining the safety and efficiency of the District’s roading network.

2.3 To restrict the through movement of traffic where this can have adverse effects on visual, noise and safety on adjacent residential uses.

2.4 To promote corridor management for key road routes within the District, which may include restricting or encouraging the through movement of vehicles.

2.5 To enable the development of network utilities in the road reserve only where the roading network has the capacity to accommodate them.

**Evaluation of Efficiency and Effectiveness Taking Account of Benefits, Costs and Risk**

**Efficiency and Effectiveness**

This is a new suite of policies to recognise the importance of the roading hierarchy to managing roads within the District. Previously the roading hierarchy was contained as an explanation to the general objective of having a safe and efficient roading network. This effectively meant it had no legal status. These proposed policies elevate the importance of the roading hierarchy to the management of the roading network.

Collectively these policies link the road status on the roading hierarchy with how the road is to be managed through the District Plan provisions. The Council, through its road controlling authority status, can manage roads to ensure the most appropriate roads are used for certain activities. For example, to identify key through-roads to
ensure heavy vehicles avoid key pedestrian areas. This is a common approach amongst all district councils and is an efficient and effective approach to road management.

Policy 2.5 recognises that network utilities often prefer to include assets in the road reserve. This is only possible where there is capacity in the road to accommodate them. This policy provides clear guidance for plan users.

The policies are an effective and efficient way to achieve Objective 2.

**Benefits & Costs**

The benefit of these policies is that they establish a policy framework for managing the roading network in the District. These policies have cost implications relating to future subdivision designs; however, these costs are already required following the decisions on Plan Change 45 – Residential Growth, where the road cross sections were introduced into the District Plan.

**Risk**

These provisions elevate the importance of the roading hierarchy into policy, rather than having these provisions in an explanation with no legal status. The risk of not acting is high given the current lack of legal status of the roading hierarchy in the operative District Plan.

While the One Network Road Classification process is underway nationally, the road classifications in the Manawatu District have not been completed at the time of this plan change. Council may complete a future plan change to amend the classifications in the roading hierarchy following final decisions on the One Network Road Classification process. This is not considered a reason to delay the notification of this chapter as the current roading hierarchy is still operative and consistent with the One Plan.

**Alignment with Objective 2**

The purpose of the proposed policies is to ensure the efficient and effective management of the roading network in the District. The proposed policies provide greater guidance for future decision making compared with the operative District Plan. This approach is consistent with achieving the outcomes sought by Objective 2.

**Objective 3: To mitigate the adverse effects of roads and vehicles on amenity values of the District.**

**Policies**

3.1 To ensure all roads are designed to achieve form and function consistent with the Roading Hierarchy and road cross sections in Appendix 3B.1 and Appendix 3B.2 respectively.

3.2 To mitigate the effects of roads and parking areas on visual amenity values through the provision of landscaping.

3.3 To support and encourage walking and cycling as alternative modes of transport.

3.4 To require that building materials and exterior lighting do not cause reflection or light spill that distracts road users.
3.5 To ensure roads are designed recognising alternative modes and the need to provide local road amenity.

3.6 To ensure development of new roads is integrated into the existing roading network in a coordinated manner.

Evaluation of Efficiency and Effectiveness Taking Account of Benefits, Costs and Risk

Efficiency and Effectiveness

The policy framework proposed is largely new to the District Plan and reflects the more recent focus by Council on alternative modes of transport and the importance urban design matters have when designing new roads (and maintaining existing) to ensure the roads are fit for purpose. Feilding has a number of wide roads which can cause drivers to perceive that they can drive more quickly through residential areas. Council has considered various traffic calming measures in the past to ensure a safer and more pleasant environment. These provisions are also consistent with the intent and content of the New Zealand Standard for Subdivision and Land Development.

Through Plan Change 45 – Residential Growth road cross sections were introduced into the District Plan. Policies 3.1, 3.2, 3.5 and 3.6 link to these cross sections and seek to achieve a roading network, particularly in residential areas, that contribute to the nice /pleasant living environment with well thought out and integrated designs.

There is a greater interest in walking and cycling throughout New Zealand and the Council is actively involved in promoting these modes of transport. Policy 3.3 reflects the importance of ensuring that future development and growth in our towns and villages includes provision for walking and cycling. These factors were introduced in the District Plan through Plan Change 45 – Residential Growth into the subdivision section. Policy 3.3 provides plan users with greater certainty in future decision making processes.

Policy 3.4 is currently in the District Plan and has been included in this chapter to recognise its importance to ensure development within the District does not cause distraction to road users. There are a number of primary production routes where distractions could cause significant adverse effects. This is important to ensure the growth and wellbeing of our community.

Many of the above policies complement the recent changes to the District Plan and are necessary to ensure the efficient and effective development of the road network. With the significant primary production sector in the District it is important to ensure roads are designed fit for the purpose they are intended to deliver and to manage effects on amenity values of the District.

Benefits & Costs

The benefits of these policies is significant in terms of how future areas in the District will develop, and how the roading network can contribute to the amenity values of each of the various areas / communities in the District. The intent of these provisions has largely been incorporated into the District Plan through Plan Change 45 – Residential Growth and as such, the costs of implementing these policies above is no greater than under the operative District Plan. There is greater policy guidance to support future decision making.
**Risk**

Given the changes in the District Plan under Plan Change 45 – Residential Growth it is important to ensure the transport provisions are also consistent. The risk of not making these changes would mean the District Plan is inconsistent between chapters which does not provide certainty to plan users or enable growth.

**Alignment with Objective 3**

These policies ensure consistency within the District Plan whilst also recognising the move towards ensuring walking and cycling are provided for in the future, particularly as community needs change. These provisions are necessary to achieve Objective 3. Overall the policies are consistent with achieving the outcomes sought by Objective 3.

---

**Key Provisions**

<table>
<thead>
<tr>
<th>Permitted Activity Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Permitted Activity Rule 3B.4.1 – Roads</strong></td>
</tr>
<tr>
<td>All roads are a Permitted Activity.</td>
</tr>
<tr>
<td><strong>Guidance Note:</strong> Roads other than State Highways are not designated under this Plan and are zoned instead. The zoning of roads must be the same as that of the adjoining land. If the zoning on opposite sides of the road is different, then the road centreline is the zone boundary.</td>
</tr>
</tbody>
</table>

**Alignment with Objectives**

Roads in the District are not deemed to be designated under the District Plan. This rule provides guidance to plan users that roads are a permitted activity. The development of new roads is also covered by the subdivision provisions of the District Plan.

Overall the permitted activity rule provide clarity and are consistent with and give effect to Objectives 1 and 2.

---

**Key Provisions**

<table>
<thead>
<tr>
<th>Permitted Activity Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Permitted Activity Rule 3B.4.2 – Access</strong></td>
</tr>
<tr>
<td>The formation of vehicle crossings onto roads is a Permitted Activity in all zones provided that they comply with the standards in Rule 3B.4.3 below.</td>
</tr>
<tr>
<td><strong>Standards for Permitted Activities Rule 3B.4.3:</strong></td>
</tr>
<tr>
<td>For all zones the formation of vehicle crossings onto all roads must comply with the following standards:</td>
</tr>
<tr>
<td>a. All vehicle crossings must be situted in accordance with the minimum sight distances and intersection spacing’s as defined in Appendix 3B.3.</td>
</tr>
<tr>
<td>b. Vehicle crossings may only be constructed on Major Arterial Road or Minor Arterial Road identified in Appendix 3B.1 if there is no alternative legal access from the site to another road.</td>
</tr>
<tr>
<td>c. In the Outer Business Zone, vehicle access to sites from SH54/Aorangi Street, between Gladstone St and Eyre Street, must be left turn in and left turn out only.</td>
</tr>
</tbody>
</table>
**Guidance Note:**
All vehicle crossings must be constructed according to Council policy and that Council’s vehicle crossing application form is completed and submitted for approval.

d. No new vehicle crossings will be located within 30m of any railway level crossing.

e. Existing vehicle crossings that are within 30m of a railway level crossing must be maintained to ensure the sightline standards detailed in Appendix 3B.5 are met.

f. No dwelling or accessory building will have access via an unformed legal road (paper road).

g. Onsite manoeuvring must be provided for vehicles to enter and exit in a forward direction.

h. Vehicle crossing movements must not exceed 100 car equivalent movements per day and the car equivalent movements must be calculated in accordance with Appendix 3B.4.

**Alignment with Objectives**
A review of the duplicated provisions in each zone was undertaken to determine whether they continue to be the most appropriate for implementing the policies and achieving the objectives in the Transport Section of the District Wide Rules chapter.

The review of the current rule provisions concluded that there was substantial repetition in the operative District Plan and that some standards had been replaced by NZS4404: Subdivision and Land Development. Therefore the changes above have focused on achieving streamlined provisions to reflect current best practice.

Provisions relating to railway crossings is consistent with the information supplied by KiwiRail during the development of this chapter. Minor word changes have occurred to provide clarity to plan users, and new diagrams have been included in the Appendix.

A number of the standards require separation distances between accessways and these are included in various appendices. This approach is consistent with the operative District Plan and changes to the new structure of the District Plan introduced under Plan Change 46 – Feilding Town Centre.

There is no evidence that the existing provisions are not effective and on that basis, the majority of the provisions have been retained as performance standards. Inclusion of requirements relating to car equivalent movements for all zones allows the impact of additional vehicle movements to be assessed on a case by case basis, recognising the roading hierarchy and potential impact on the functioning of the overall roading network.

Overall the permitted activity rule and performance standards are considered to be consistent with and give effect to Objectives 1 and 2.

<table>
<thead>
<tr>
<th>Key Provisions</th>
<th>Permitted Activity Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Permitted Activity Rule 3B.4.4 – Glare</strong></td>
<td>Any permitted activity within any zone in the District Plan must also comply with the following glare standards:</td>
</tr>
</tbody>
</table>
a. Exterior lighting must be directed away from public places and adjoining premises and must avoid any spill of light that may distract road users.

b. There must be no sun-strike effect on road users resulting from mirrored glazing or unpainted corrugated iron fences.

**Alignment with Objectives**

The operative District Plan included the above requirement for all zones. Minor wording changes have been proposed to provide additional clarity for plan users. This rule gives effect to Policy 3.4. It is considered that the standards above are necessary to achieve Objective 3.

<table>
<thead>
<tr>
<th>Key Provisions</th>
<th>Permitted Activity Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Permitted Activities Rule 3B.4.5 – Car Parking Standards</strong></td>
<td>Any activity in the District must also comply with the following car parking standards:</td>
</tr>
<tr>
<td><strong>Assessment of Car Parking Requirements</strong></td>
<td></td>
</tr>
<tr>
<td>a. Car parking requirements must be determined using Table 3B.1 Car Parking Standards, provided onsite and must be assessed in accordance with the following matters:</td>
<td></td>
</tr>
<tr>
<td>i. Where two or more buildings are located on the same site, car parking requirements for potential activities within each building must be achieved, and</td>
<td></td>
</tr>
<tr>
<td>ii. For a multi-purpose site where all facilities may be used at one time, the total parking requirements for each facility will have to be provided.</td>
<td></td>
</tr>
<tr>
<td>iii. Any fraction under one half resulting from car parking space calculations will be disregarded. Fractions of one half or more will be counted as one car parking space, and</td>
<td></td>
</tr>
<tr>
<td>iv. Car parking requirements based on staff numbers will be calculated using fulltime equivalent staff members for the activity concerned.</td>
<td></td>
</tr>
<tr>
<td><strong>Car Parking and Manoeuvring Spaces, and Access</strong></td>
<td></td>
</tr>
<tr>
<td>b. Sites outside the area shown in Appendix 3B.6 must provide onsite car parking in accordance with Table 3B.1 Car Parking Standards.</td>
<td></td>
</tr>
<tr>
<td>c. Car parking spaces required under Table 3B.1 Car Parking Standards must be provided onsite.</td>
<td></td>
</tr>
</tbody>
</table>
Change of Use or Additional Development

e. Where a change of use occurs requiring a higher number of car parks or where the floor area of an existing building is increased, additional car parking must be provided to achieve the requirements of Table 3B.1 Car Parking Standards.

Formation and Screening of Car Parking Areas

f. For all activities except dwellings, car parking and manoeuvring spaces in the Outer Business, Residential, and Village zones required by Table 3B.1 Car Parking Standards must be formed, surfaced in seal or concrete and marked out to the Council’s standard.

g. For all activities in the Rural and Industrial zones, except dwellings, car parking and manoeuvring spaces required by Table 3B.1 Car Parking Standards must be formed, surfaced in seal, concrete or permeable surfacing and marked out to the Council’s standard.

h. Car parking areas adjoining sites zoned Residential must be screened from the Residential Zone by a solid screen wall or fence at least 2m high.

i. Car parking in the Recreation Zone must not be located within 3m of the front boundary of the site, or within 4.5m of any property zoned Residential or Village.

Table 3B.1 - Car Parking Standards

<table>
<thead>
<tr>
<th>Activity</th>
<th>Car parking Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assisted living accommodation</td>
<td>1 park for every two staff members plus 1 park for every three people accommodated.</td>
</tr>
<tr>
<td>Catteries and Boarding Kennels</td>
<td>No less than four car parking spaces.</td>
</tr>
<tr>
<td>Commercial Services</td>
<td>Medical practitioners – 1 car park per staff member and 2 patient car parks per practitioner. Hospitals – 0.7 car parks per bed Offices and other commercial services – 1 car park per 40m² gross floor area.</td>
</tr>
<tr>
<td>Community Facilities</td>
<td>1 car park per 10 m² gross floor area.</td>
</tr>
<tr>
<td>Category</td>
<td>Requirement</td>
</tr>
<tr>
<td>--------------------------------</td>
<td>-----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Dwelling and Family Flats</td>
<td>2 car parks per dwelling and 1 park per family flat.</td>
</tr>
</tbody>
</table>
| Education Facilities           | For Pre-Schools and Day Care Centres – 1 park per staff member, plus 1 park per 4 children if there is a requirement for parental supervision.  
For Primary Schools – 0.7 of a car park per staff member.  
For Secondary Schools – 0.7 of a car park per staff member plus 1 car park per 20 students.  
For Tertiary Education Facilities – 1 car park per 10m² gross floor area. |
| Entertainment facilities       | 1 car park per 4 seats provided.                                            |
| Funeral parlour                | Chapels – 1 car park for every 10 seats provided.  
Other Rooms – 1 car park per 65m² gross floor area. |
| Home occupations               | In addition to parking associated with the dwelling – 1 car park per staff member.  
Where retail or services are provided from the home occupation, 2 car parks for visitors. |
| Light Industry and Industry    | 1 car park per 100 m² gross floor area. Where retail or services are provided, 2 car parks for visitors. |
| Supermarkets and large format retail activity exceeding 2,000m² gross floor area | 1 car park per 25m² gross floor area. |
| Motor vehicle sales and servicing (office space only) | 1 car park per 40 m² gross floor area. |
| Retail Activities under 2000m² gross floor area | 1 car park per 40 m² gross floor area. |
| Rural and Animal Services      | 1 car park per staff member, plus 1 park per 50m³ of gross floor area.     |
| Restaurants                    | 1 car park per 4 seats.                                                    |
Alignment with Objectives

The operative District Plan included car parking standards under Rule A2 Rules applying throughout the District, with additional provisions in the various zones in the District Plan. To avoid duplication and confusion, all parking provisions are proposed to be in the one rule above.

Significant changes were introduced through Plan Change 46 – Feilding Town Centre amending many of the definitions used in the District Plan for activities within Industrial, Inner Business, Outer Business and Residential Zones. These changes meant that consequential changes to the parking standards were required. The changes in Table 3B.1 above reflect those changes made to the definitions.

Overall this rule will help achieve all the objectives of this section and ensure the safe and efficient operation of the roading network in the District. Therefore the provisions are aligned with the three objectives.

<table>
<thead>
<tr>
<th>Service stations</th>
<th>3 car parks per workshop service bay plus 2 per 100m² of remaining gross floor area.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Visitor Accommodation</td>
<td>1 car park per staff member plus 1 car park per room accommodation to let.</td>
</tr>
</tbody>
</table>

**Key Provisions**

**Restricted Discretionary Activities Rule 3B.4.6**

The following activities are Restricted Discretionary Activities in respect to transportation:

a. Any Permitted Activity that does not comply with any of the relevant standards in Rules 3B.4.3, 3B.4.4, and 3B.4.5.

For these activities, the Council has restricted its discretion to considering the following matters:

- the safe, efficient and integrated operation of the roading network
- design and appearance of parking areas
- glare
- access
- visual amenity effects on adjoining residential zoned properties and surrounding streetscape
- traffic generation, site access and parking
- effects on walking and cycling and other alternative modes such as passenger transport.

In determining whether to grant a resource consent and what conditions to impose, the Council will, in addition to the objectives
and policies of the Transportation section and the relevant zone, assess any application in terms of the following assessment criteria:

- i. the degree of non-compliance with the particular performance standards that the proposal fails to meet.
- ii. whether the application remains consistent with the intention of the standard(s) it infringes.
- iii. whether the application will result in any adverse effects on amenity values of neighbouring properties or the character of the zone in which the activity is proposed.
- iv. whether the application will result in any adverse effects on streetscape character as anticipated under Appendix 3B.2.
- v. the degree to which the non-compliance can be mitigated to ensure any effects are internalised to the site.
- vi. whether there is a reasonably practicable alternative for legal access to a road other than a Major Arterial Road or Minor Arterial Road.
- vii. the degree to which the proposal contains sufficient onsite parking to meet the needs of the activity.
- viii. whether alternative transport modes such as walking and cycling have been provided for.

### Alignment with Objectives

This is a new rule that has been added to the District Plan to provide certainty for plan users on how activities are assessed when they do not meet the permitted activity standards. The matters of discretion are appropriately restricted to key roading network issues, while the assessment criteria clearly identify those matters that need to be considered.

The new rule proposed is considered to be the most efficient and effective method for managing those activities that do not meet the permitted activity standards. This reflects the importance of transport matters to the wellbeing and growth of the District, particularly the high contribution the primary production industry makes to the District economy. On that basis this rule is consistent with and gives effect to all the proposed Objectives.

<table>
<thead>
<tr>
<th>Key Provisions</th>
<th>Rule Provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Discretionary Activities Rule 3B.4.7</td>
<td>Any activity not otherwise specified as Permitted or Restricted Discretionary Activity, or is not specifically provided for in this Plan, shall be a Discretionary Activity.</td>
</tr>
</tbody>
</table>

### Alignment with Objectives

The operative District Plan includes a ‘default’ rule for any activity that is not otherwise provided for is a discretionary activity. A non-complying activity classification is not
considered to be appropriate for those transport related activities given the issues in the District. This rule is aligned with all three Objectives and will ensure transport issues are consistent with Part 2 of the Act.

### 6.7.3 Noise

**Objective 1:** To ensure noise generated from activities is appropriate to the character and level of amenity anticipated in the surrounding environment and human health and safety.

Noise can create potential issues in environments where noise impacts on the health of people and communities, thus diminishing their enjoyment of the District. Therefore, the single objective for noise has the intent of ensuring that any noise generated is anticipated for the environment it is located in and to protect health and safety.

The objective in particular relates to the health of the community with adverse noise effects negatively impacting individual’s health. The introduction of this objective seeks to achieve consistency with the purpose of the Act which seeks to provide for the health and safety of communities for the sustainable management of resources.

**Policies**

1.1 To ensure noise level standards protect dwellings and other noise sensitive activities from unacceptable noise levels.

1.2 To ensure noise levels within the Inner and Outer Business Zones and the Industrial Zone enable the functioning of these activities without resulting in significant adverse environmental effects on adjacent residential activities.

1.3 To consider appropriate mitigation measures where noise levels exceed the zone or zone interface noise limits.

**Evaluation of Efficiency and Effectiveness Taking Account of Benefits, Costs and Risk**

**Efficiency and Effectiveness**

The policy framework has been modified from the operative District Plan to deliver a more efficient and effective approach in the management of noise. The provisions in the operative District Plan relate to specific zones and the Air Noise Area around the Palmerston North Airport. With the change in council boundaries, many of the existing provisions are no longer relevant. Air noise matters will be addressed in a future plan change as part of the sectional district plan review.

The targeted policies ensure noise is managed to mitigate adverse effects associated with the generation of noise in all zones. The effects have the potential to cause significant health effects especially if adverse noise effects are experienced during night time hours causing sleep disruption.
Residential areas are most susceptible to adverse noise effects and Policy 1.1 seeks to ensure acceptable noise levels are experienced in residential areas. Protecting residential areas from unacceptable high noise levels will ensure healthy living for the residents. It is also important that consideration is given to noise sensitive activities in other zones. The proposed changes to the definitions also includes a change to the recently introduced definition for noise sensitive activities to ensure wider District Plan consistency.

Business and industrial activities are a critical component to the functioning of the District. Policy 1.2 seeks to ensure inappropriate noise regulations are not placed on these activities that would impede their functioning. A balance between the noise generated from these activities and the effect on neighbouring residential activities needs to be balanced. Policy 1.2 seeks to enable this.

In some situations mitigation measures can be used to manage the effects of noise. Policy 1.3 recognises that some effects can be managed.

**Benefits & Costs**

Providing for and appropriately managing noise will provide for the District’s social, cultural and economic wellbeing enabling a variety of activities to operate without impacting on other, more noise sensitive activities. The intent of the noise policies is the same as the operative District Plan. No additional costs are anticipated to occur as a result of these provisions compared with the operative District Plan.

**Economic Growth and Employment**

The proposed changes are not considered to generate a noticeable increase in employment and economic growth, given the intent of the exiting District Plan has been retained.

**Risk**

The risk of not acting will result in the generation of noise which will negatively impact on the health of the community through inadequate regulation. The policies are proposed to be simplified based on the review by Council’s noise expert. There is sufficient information with which to act.

**Alignment with Objective 1**

The purpose of the proposed polices is to ensure noise is managed appropriately to allow the functioning of a range of activities while mitigating any adverse effects on residential amenity and noise sensitive activities. This approach is considered to be consistent with and achieves the outcomes sought by Objective 1.

**Key Provisions**

<table>
<thead>
<tr>
<th>Permitted Activities Rule 3C.4.1</th>
<th>Standards for Permitted Activities Rule 3C.4.1:</th>
</tr>
</thead>
<tbody>
<tr>
<td>All activities are permitted provided they</td>
<td>For all zones, the permitted activities specified in Rule 3C.4.1 above must comply with the following standards:</td>
</tr>
</tbody>
</table>
comply with the performance standards in Rule 3C.4.2.

a. Noise levels shall be measured and assessed in accordance with the provisions of NZS 6801:2008 Acoustics – Measurement of environmental sound.

b. All activities must comply with the following noise levels for the zone the activity is located in:

Table 3D.1 – Noise levels

<table>
<thead>
<tr>
<th>Zone the activity is located in</th>
<th>Time Period</th>
<th>Potentially affected zone – measured at any point within the boundary of any other site in the zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential / Village – these apply only to home occupations and non-residential activities</td>
<td>7am – 10pm 10pm – 7am 10pm – 7am</td>
<td>45dB LAeq (15 mins) 35dB LAeq (15 mins) 55dB Lamax</td>
</tr>
<tr>
<td>Recreation</td>
<td>7am – 7pm 7pm – 10pm 10pm – 7am 10pm – 7am</td>
<td>55dB LAeq (15 mins) 50dB LAeq (15 mins) 40dB LAeq (15 mins) 70dB Lamax</td>
</tr>
<tr>
<td>Rural</td>
<td>7am – 7pm 7pm – 10pm 10pm – 7am 10pm – 7am</td>
<td>55dB LAeq (15 mins) 50dB LAeq (15 mins) 45dB LAeq (15 mins) 70dB Lamax</td>
</tr>
<tr>
<td>Industrial</td>
<td>7am – 7pm 7pm – 10pm 10pm – 7am</td>
<td>55dB LAeq (15 mins) 50dB LAeq (15 mins) 45dB LAeq (15 mins)</td>
</tr>
<tr>
<td>Inner and Outer Business</td>
<td>10pm – 7am</td>
<td>7am – 7pm</td>
</tr>
<tr>
<td>--------------------------</td>
<td>------------</td>
<td>-----------</td>
</tr>
<tr>
<td></td>
<td>75dB L_{A_{max}}</td>
<td>75dB L_{A_{max}}</td>
</tr>
</tbody>
</table>

**Guidance Note:** The noise provisions for Manfeild Park Zone and the Special Development Zone are contained in the specific zone chapters.

c. Sounds generated by construction, maintenance and demolition activities will be assessed, predicted, measured, managed and controlled by reference to NZS6803:1999 Acoustics – Construction Noise.

d. Noise from the following activities are not controlled by Rule 3C.4.1.b in this Plan:

   i. Aircraft being operated during or immediately before or after flight.
   
   ii. Vehicles being driven on a road, excluding the use of airbrakes on trucks.
   
   iii. Trains other than when being tested (when stationary), maintained, loaded or unloaded.
   
   iv. Rural production activities, except for intensive farming.
   
   v. Crowd noise at any area zoned recreation.
   
   vi. Emergency Services Sirens.

**Guidance Notes:**

1. Sound from commercial renewable energy generation will be assessed, predicted, measured and controlled by reference to...
the NZS6808:1998 Acoustics – The Assessment and Measurement of Sound from Wind Turbine Generators.

2. Noise from Helicopters using separate helicopter landing areas that are not part of an airport will be assessed according to NZS 6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas.

3. Noise associated with aircraft operations will be assessed by NZS 9805:1992 Airport Noise Management and Land Use Planning.

4. Unreasonable or excessive noise can be controlled by reference to the specific provisions of the Resource Management Act (1991), specifically sections 16 and 327.

Alignment with Objective

Nigel Lloyd of Acousafe Consulting and Engineering Ltd was engaged by Council to undertake a review of the existing noise provisions.

The result of the review was an updated noise standards table to be applied to the whole District. The noise limits established for each zone seek to ensure a balance between activities in each zone and the need to protect the effects of noise on noise sensitive activities.

The proposed noise limits also seek to ensure activities in the business and industrial zones can operate without the risk of reverse sensitivity from surrounding activities. Activities in the business and industrial zones typically create high levels of noise and this has been recognised in the provisions to ensure these operations are not compromised.

In most zones an evening shoulder noise level has been introduced to recognise the provisions of the NZ Standard and the fact that noise starts to quieten down in the evenings when people are winding down and preparing for sleep and relaxation.

Those activities where noise exemptions apply have been included in the new permitted activity rule. This is to provide certainty and clarity for plan users for what activities are exempt from the noise limits specified in Table 3D. – Noise levels. These exemptions ensure only those activities of concern are managed by the rules in the District Plan. This is an efficient and effective way to manage the effects of noise in the District, while providing plan users with greater clarity.

Overall, the provisions proposed align with proposed Objective 1.

<table>
<thead>
<tr>
<th>Key Provisions</th>
<th>Rule Provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Discretionary Activities Rule</td>
<td>Any activity that does not meet the noise standards for a Permitted Activity specified in Rule 3C.4.2, or is not specifically provided for in this Plan, shall be a Discretionary Activity.</td>
</tr>
<tr>
<td>3C.4.3</td>
<td></td>
</tr>
</tbody>
</table>

Alignment with Objectives
Where activities do not meet the provisions of the permitted activity then this rule applies.

Under the operative District Plan noise requirements are duplicated in each zone, with the ‘default’ rule often being a non-complying activity rule. A discretionary activity rule is more appropriate and enables the noise effects to be managed on a case by case basis.

This rule is considered to be an efficient and effective response to those activities not meeting the permitted activity noise levels. This rule is therefore considered to be consistent with Objective 1.

6.7.4 Earthworks

**Objective 1**: To ensure earthworks do not result in adverse effects on the visual amenity, landscape or cultural values of an area.

**Objective 2**: To ensure that earthworks are designed and undertaken in a manner to minimise the risk of land instability and visual amenity effects.

**Objective 3**: To protect the operation of the National Grid and infrastructure of regional and national importance by avoiding earthworks that could undermine their integrity and function.

The underlying purpose of the objectives is to ensure any adverse effects from earthworks are avoided, remedied or mitigated. This is consistent with the purpose of the Act.

Earthworks by their very nature have the ability to affect the landscape. This is an important issue when trying to manage effects on the values that make areas listed in the operative District Plan in Appendix 1 significant. This has been recognised by Objective 1.

Ensuring earthworks do not compromise the health and safety of the community is paramount, and this is recognised in Objective 2 where the purpose is to prevent earthworks from causing instability and erosion. The intent of this Objective is consistent with the provisions of the One Plan and ensures that the amenity of the District is not compromised by earthworks.

As a result of the decisions on Plan Change 45 – Residential Growth, an additional objective is proposed (Objective 3) which will address the issues of earthworks around the National Grid. The objective has been extended through the consultation of the Plan Change to also reference infrastructure of regional or national importance. Earthworks which could affect the integrity and functioning of these assets need to be managed. This objective is also necessary to recognise the relevant provisions of the NPS and the effects that earthworks can have on the operation of the National Grid.

Overall the objectives achieve the overarching purpose of the Act to promote sustainable management of natural and physical resources.

**Objective 1**: To ensure earthworks do not result in adverse effects on the visual amenity, landscape or cultural values of an area.
1.1 To mitigate any visual amenity effects arising from earthworks.

1.2 To restrict earthworks within sites identified in this Plan as containing significant heritage values, particularly those identified in Appendix 1A (Wetlands, Lakes, Rivers and their Margins), 1B (Significant Areas of Indigenous Forest/Vegetation (excluding reserves)), 1D (Trees with Heritage Value) and 1F (Sites with Heritage Value).

1.3 To restrict earthworks in Outstanding Natural Features or Landscapes, except where earthworks are necessary to eliminate risk to human health and safety.

1.4 To avoid, remedy or mitigate the effects of earthworks which could disturb or destroy the intrinsic cultural and natural heritage values associated with an identified site or object.

Evaluation of Efficiency and Effectiveness Taking Account of Benefits, Costs and Risk

Efficiency and Effectiveness

The new policy framework seeks to deliver a more efficient and effective approach in the management of earthworks. The operative District Plan is essentially silent on the issue of earthworks, particularly in relation to policies.

The targeted policies ensure earthworks are undertaken with appropriate care to mitigate adverse effects associated with them. These effects have the potential to cause predominantly visual and amenity effects. Policy 1.1 seeks to ensure effects on visual amenity are mitigated.

Policy 1.2 seek to restrict earthworks in areas of significance, whether it be a heritage site or an Outstanding Natural Feature or Landscape. The policies recognise that the values which make a site significant or outstanding must be carefully managed in order to protect those areas from inappropriate subdivision or development.

Policy 1.3 recognises the importance of infrastructure of regional and national importance from the effects of earthworks. These assets are important to the health and wellbeing of the community and therefore need to have a level of protection to ensure earthworks do not undermine their integrity and function. This also gives effect to the One Plan.

Policy 1.4 seeks to recognise that earthworks can impact on the cultural and heritage values of areas. Many times these are unknown or not listed in District Plans. This policy enables decision makers to consider the wider effects of earthworks based on site specific information.

These Policies are considered to be the most efficient and effective means to achieve Objective 1.

Benefits & Costs

Providing for and appropriately managing earthworks will provide for the Districts social, cultural and economic wellbeing. While the operative District Plan contains some reference to earthworks in the rules, there is very little policy guidance to assist decision makers. The addition of the above policies will provide some clarity and certainty for both plan users and decision makers. Earthworks in significant heritage sites or Outstanding Natural Features and Landscapes could incur consenting costs under these
policies, however this is considered appropriate given the values associated with these areas.

**Economic Growth and Employment**

The proposed changes are not considered to generate a noticeable increase in employment and economic growth or are they expected to hinder growth or employment.

**Risk**

The risk of not acting will result in earthworks being undertaken without the appropriate management creating the potential for adverse environmental effects. The operative District Plan provisions lack policy guidance and do not provide certainty or clarity for plan users. The risk of not making the changes as proposed is high as the District Plan would continue to be unclear and key sites would not be afforded the appropriate level of protection. The lack of recognition for infrastructure of regional or national importance would also mean that Council is not giving effect to the provisions of the One Plan.

**Alignment with Objective 1**

The purpose of the proposed policies is to ensure earthworks are managed appropriately to mitigate any adverse effects on amenity, cultural and historical values, and infrastructure of regional or national importance. This approach is considered to be consistent with and gives effect to Objective 1.

---

**Objective 2: To ensure that earthworks are designed and undertaken in a manner to minimise the risk of land instability and visual amenity effects.**

**Key Earthworks Policies**

<table>
<thead>
<tr>
<th>Policy</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.1</td>
<td>To ensure the scale of earthworks are appropriate for the site they are located on to avoid visual amenity effects on or beyond the site.</td>
</tr>
<tr>
<td>2.2</td>
<td>To manage the scale of earthworks on sites susceptible to erosion and land instability.</td>
</tr>
<tr>
<td>2.3</td>
<td>To require rehabilitation measures be undertaken to avoid accelerated erosion following earthworks.</td>
</tr>
<tr>
<td>2.4</td>
<td>To ensure all adverse effects from earthworks including dust and sediment run-off are managed onsite.</td>
</tr>
<tr>
<td>2.5</td>
<td>To ensure that earthworks do not affect the functioning known overland flow paths.</td>
</tr>
</tbody>
</table>

---

**Evaluation of Efficiency and Effectiveness Taking Account of Benefits, Costs and Risk**

**Efficiency and Effectiveness**

The policy framework has been amended to deliver a more efficient and effective approach in the management of earthworks.

Policies 2.1 and 2.2 specifically recognises the associated risk of land instability when earthworks are undertaken. The policy will ensure that any earthworks undertaken are
compatible with the receiving environment. Making certain the receiving environment is capable of withstanding the amount of earthworks proposed will limit the risk of earthworks causing instability and therefore amenity effects.

Policy 2.3 seeks to ensure the proactive planning of rehabilitation measures to avoid accelerated erosion. Given the nature of the District’s high country it is important that activities are managed with careful consideration for accelerated erosion.

Policy 2.4 covers those effects which are often the source of complaints associated with earthworks and their impact on the amenity of the area in which the activity is occurring. Dust and sediment runoff can be easily managed and this policy will ensure this happens.

Policy 2.5 recognises that earthworks need to avoid any alteration of overland flow paths, including stormwater flows. If earthworks change the flow paths this can create ponding and flooding of sites that previously did not experience these effects.

Given recent changes to the District Plan which identified new residential growth areas on sloping land the addition of these policies will provide plan users with greater clarity for how to manage the effects of earthworks if consent is triggered. These policies are considered to be the most effective and efficient means to achieve Objective 2. They are also consistent with, rather than duplicating, the provisions of the One Plan.

**Benefits & Costs**

Providing for and appropriately managing earthworks will provide for the District’s social, cultural and economic wellbeing. While the operative District Plan contains some reference to earthworks in the rules, there is little policy guidance. The addition of the above policies will provide some clarity and certainty for plan users and ensure the appropriate mitigation measures are used, particular to manage effects on the amenity values of the area in which they occur.

**Economic Growth and Employment**

The proposed changes are not considered to generate a noticeable increase in employment and economic growth.

**Risk**

The risk of not acting will result in earthworks being undertaken without the appropriate management with the potential for causing adverse environmental effects. Council has sufficient information in which to act, and the proposed policies are considered appropriate to manage the amenity effects generated by earthworks.

**Alignment with Objective 2**

The purpose of the proposed polices is to ensure earthworks are managed appropriately to mitigate instability, erosion and amenity effects. This approach is considered to be consistent with and will implement Objective 2.

**Objective 3: To protect the operation of the National Grid and infrastructure of regional and national importance by avoiding earthworks that could undermine their integrity and function.**
Key Earthworks Policies

3.1 To control earthworks within the National Grid Yard to ensure the continued safe and efficient operation, maintenance and upgrading of the National Grid.

3.2 To control earthworks near infrastructure of regional and national importance to ensure their safe and efficient operation, maintenance and upgrading.

Evaluation of Efficiency and Effectiveness Taking Account of Benefits, Costs and Risk

Efficiency and Effectiveness

Earthwork provisions were introduced in the District Plan through Plan Change 45 – Residential Growth relating to the National Grid. To ensure consistency with the new structure of the District Plan a specific objective and policy have been included to provide guidance for assessing consents under the rules introduced into the District Plan previously.

Policy 3.1 is important to give effect to the NPS and NES on electricity generation. Earthworks within the National Grid Yard have the potential to cause significant adverse effects on the continued operation and distribution of electricity.

Policy 3.2 has been introduced following consultation on the draft provisions to ensure that infrastructure of regional and national importance is also provided a level of protection to recognise the importance of these assets to the wellbeing of the community. This is also consistent with the provisions of the One Plan.

Benefits & Costs

Inclusion of these policies will ensure the ongoing operation of infrastructure of regional and national importance is not compromised by earthwork activities nearby. The policies do not inhibit the Districts social, cultural and economic wellbeing; rather it ensures regional and national infrastructure is provided a level of protection from earthwork activities. The inclusion of these provisions provides certainty and clarity to plan users. Significant costs are not anticipated as a result of these policies.

Economic Growth and Employment

The proposed changes are not considered to generate a noticeable increase in employment and economic growth, other than to ensure continued functioning of those assets considered to be of regional or national importance, such as the National Grid.

Risk

Given the provisions of the NPS and NES relating to electricity generation, and the provisions of the One Plan, there is a high risk if these provisions are not included in the District Plan. The rules that correspond to the provisions relating to the National Grid were previously introduced into the District Plan through Plan Change 45 – Residential Growth. The Council has sufficient information in which to make the changes as proposed.

Alignment with Objective 3

The proposed policy seeks to ensure the operation of infrastructure of regional or national importance, including the National Grid, are protected from earthworks. The
policies are also consistent with the relevant NPS and NES, and the One Plan. This approach is considered consistent with achieving the outcomes sought by Objective 3.

### Key Provisions

<table>
<thead>
<tr>
<th>Permitted Activities Rule 3D.4.1</th>
<th>Permitted Activity Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Permitted Activities</strong>&lt;br&gt;<strong>Rule 3D.4.1</strong></td>
<td><strong>Standards for Permitted Activities Rule 3D.4.2:</strong>&lt;br&gt;The Permitted Activities specified above must comply with the following standards:</td>
</tr>
<tr>
<td>The following are Permitted Activities in the all zones, except the Rural and Flood Channel zones provided that they comply with the standards in Rule 3D.4.2 below.</td>
<td>a. Any sediment run-off from earthworks must be contained within the subject site.</td>
</tr>
<tr>
<td>a. Earthworks, other than in an Outstanding National Feature or Landscape.</td>
<td>b. All dust and sedimentation control measures must be installed prior to earthworks commencing.</td>
</tr>
<tr>
<td>b. Any earthworks within the National Grid Yard undertaken</td>
<td>c. Earthworks must not be undertaken closer than 20m of the banks of the Oroua River or Kiwitea Stream.</td>
</tr>
<tr>
<td>i. by a network utility operator within a transport corridor as part of a transmission activity or for electricity infrastructure, or</td>
<td>d. Earthworks must not be undertaken closer than 10m of the banks of the Makino Stream.</td>
</tr>
<tr>
<td>ii. as part of agricultural or domestic cultivation, or</td>
<td>e. Earthworks must not be undertaken within any area in Appendix 1A (Wetlands, Lakes, Rivers and their Margins, 1B (Significant Areas of Indigenous Forest/Vegetation (excluding reserves)), 1D (Trees with Heritage Value) and 1F (Sites with Heritage Value).</td>
</tr>
<tr>
<td>iii. repair, sealing or resealing of</td>
<td>f. Earthworks undertaken in the National Grid Yard do not</td>
</tr>
<tr>
<td></td>
<td>i. Exceed a depth (measured vertically) of 300mm within a distance measured 12m from the outer visible edge of any National Grid Tower, and</td>
</tr>
<tr>
<td></td>
<td>ii. Create an unstable batter that will affect a transmission support structure, and</td>
</tr>
<tr>
<td></td>
<td>iii. Result in a reduction in the ground to conductor clearance distances below what is required by Table 4 of NZECP34:2001.</td>
</tr>
</tbody>
</table>

**Guidance Note:** The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) contains restrictions on the location of structures and activities in relation to transmission lines. Compliance with the permitted activity standards of the Plan does not ensure compliance with the Code of Practice.
a road, footpath driveway or farm track, or
iv. any vertical holes not exceeding 500mm in diameter provided they are:

a. more than 1.5m from the outer edge of a pole support structure or stay wire; or
b. a post hole for a farm fence or horticulture structure and more than 5m from the visible edge of a tower support structure foundation.

Guidance Notes:
1. Earthworks are also regulated by the Manawatu-Wanganui Regional Council and a resource consent maybe required under the

<table>
<thead>
<tr>
<th>Zone</th>
<th>Minimum setback from site boundary</th>
<th>Maximum area per site in any 12 month period</th>
<th>Maximum permitted volume per site in any 12 month period</th>
<th>Maximum change to existing ground level</th>
</tr>
</thead>
</table>
| Residential, Village & Inner Business Zones | 1.5 m | 3 m | 250m² | 500m³ | 1.5m
| Outer Business & Industrial Zones | ✓ | ✓ | ✓ | ✓ |
| Manfeild Park & Special Development Zones | ✓ | ✓ | ✓ | ✓ |
| Recreation Zone | ✓ | ✓ | ✓ | ✓ |

Guidance Notes:
1. The restrictions above do not apply to land based quarrying activities which are managed in the Rural Zone of this Plan.

No earthworks, buildings or structures can be undertaken or erected within 20m of a natural gas transmission corridor.

Earthworks must comply with the standards specified in Table 3D.1 Earthwork Volumes.

Earthworks must not block any stormwater or overland flow paths.

Table 3D.1 Earthwork Volumes

<table>
<thead>
<tr>
<th>Zone</th>
<th>Minimum setback from site boundary</th>
<th>Maximum area per site in any 12 month period</th>
<th>Maximum permitted volume per site in any 12 month period</th>
<th>Maximum change to existing ground level</th>
</tr>
</thead>
</table>
| Residential, Village & Inner Business Zones | 1.5 m | 3 m | 250m² | 500m³ | 1.5m
| Outer Business & Industrial Zones | ✓ | ✓ | ✓ | ✓ |
| Manfeild Park & Special Development Zones | ✓ | ✓ | ✓ | ✓ |
| Recreation Zone | ✓ | ✓ | ✓ | ✓ |
2. Earthworks are also regulated by the Manawatu-Wanganui Regional Council and a resource consent may be required under the rules of the One Plan. The One Plan requires Erosion and Sediment Control measures to comply with the Greater Wellington Regional Council’s Erosion and Sediment Control Guidelines dated September 2002.

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

4. Where earthworks are to be undertaken within 20m of any electricity line, the owners of the electrical network should be advised of the intention to carry out the works not less than 5 working days prior to their commencement.

5. Earthworks near or within areas of cultural and natural heritage values may also require an Archaeological Authority under the Heritage New Zealand Pouhere Taonga Act (2014).

### Alignment with Objectives

The use of the permitted activity status and related standards will achieve the outcome of providing clear guidance for undertaking earthworks that has been missing in the current Plan. The performance standards which include minimum setback distances, maximum area, maximum volume and maximum change to ground level have been established to provide consistency with surrounding districts.

It is recognised that the implementation of these standards may increase the need for resource consent in some areas. However, the limits proposed have an aim of achieving a balance of allowing a certain amount of earthworks without compromising land stability, creating visual intrusion or causing accelerated erosion and run-off.

Setbacks for earthworks from the banks of the Oroua, Kiwitea and Makino Streams have been retained with the existing setbacks achieving the desired outcome. Additional setbacks have been implemented for earthworks near those sites of significance in the District Plan in Appendix 1. Setbacks are also included to protect the electricity transmission line that forms part of the National Grid. These are consistent with NPS, NES or the One Plan provisions.

The Council has few significant areas listed in Appendix 1 and it is considered appropriate that earthworks within these areas are restricted in order to recognise the values that make them important. Earthworks within one of the two specified Outstanding Natural Landscapes and Features in the District Plan should be considered on a case by case basis and permitted activity classification does not provide an appropriate mechanism to consider the activity.

The provisions relating to the National Grid were introduced through Plan Change 45 – Residential Growth and have been included in this chapter given the proposed
Restructure of the District Plan that was introduced in Plan Change 46 – Feilding Town Centre.

Permitted activity standards a and b have been introduced to mitigate the effects of sediment run-off and dust. Requiring earthwork control measures to be installed prior to works commencing will mitigate any adverse effects associated from earthworks. These standards in particular seek to achieve Objective 2 and compliments provisions in the One Plan.

The provisions and standards align the proposed policies and Objectives 1 – 3.

<table>
<thead>
<tr>
<th>Key Provisions</th>
<th>Rule Provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Restricted Discretionary Activities Rule 3D.4.3</strong></td>
<td>The following activities are Restricted Discretionary Activities:</td>
</tr>
<tr>
<td></td>
<td>a. Any earthworks undertaken in the National Grid Yard that do not comply with the standards for permitted activities under Rule 3D.4.2 above.</td>
</tr>
<tr>
<td></td>
<td>For this activity, the Council has restricted its discretion to considering the following matters:</td>
</tr>
<tr>
<td></td>
<td>o Any effects on the operation of the National Grid</td>
</tr>
<tr>
<td></td>
<td>o Volume, area and location of the works, including temporary activities such as stockpiles</td>
</tr>
<tr>
<td></td>
<td>o Hours of operation and time of year the proposed works will occur</td>
</tr>
<tr>
<td></td>
<td>o Site remediation</td>
</tr>
<tr>
<td></td>
<td>o The use of mobile machinery within the National Grid Yard</td>
</tr>
<tr>
<td></td>
<td>o Demonstrated compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001).</td>
</tr>
</tbody>
</table>

**Alignment with Objectives**

This rule was introduced through Plan Change 45 – Residential Growth following submissions and discussions with Transpower New Zealand Limited. Some minor wording changes are proposed given that this provision relates to the whole District, rather than just that area covered by the residential growth areas. Given that this rule is a recent addition to the District Plan there is no reason to make significant change.

The proposed Objective and Policy, together with this rule, ensure consistency with the relevant NPS and NES for electricity transmission. This rule is therefore aligned with, and gives effect to Objective 3.
Discretionary Activities Rule 3D.4.4

Any earthworks that do not meet the Permitted Activity standards, or is not specifically provided for in this Plan, shall be a Discretionary Activity.

**Guidance Note:** The National Environment Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (2011) also applies to earthworks and a consent may be required under those provisions.

Alignment with Objectives

This rule is essentially a ‘default’ rule for earthworks. Any earthworks under the operative District Plan that was not part of another activity would have been a non-complying activity. This proposed rule is considered to be an appropriate rule for those activities where standards cannot be met, or the activity was not already provided for.

The proposed objectives and policies provide clear guidance for plan users on the effects of more concern in relation to earthworks.

This rule gives effect to the intent of the objectives and policies associated with earthworks.

Key Provisions

<table>
<thead>
<tr>
<th>Rule Provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Non-Complying Activity Rule 3D.4.5</strong></td>
</tr>
<tr>
<td>Any earthworks within an Outstanding Natural Feature or Landscape identified in Appendix 1C, except within an existing road carriageway, is a Non-Complying Activity.</td>
</tr>
</tbody>
</table>

Alignment with Objectives

The intention of this rule is to protect these areas identified in the District Plan from activities that are likely to damage or destroy those values that make these areas outstanding. This has been a consistent approach to all topics within this chapter in relation to Outstanding Natural Features and Landscapes.

The non-complying activity status reflects the emphasis that earthworks can have significant adverse effects on the values which make these areas significant. Therefore it is considered appropriate that earthworks within these two areas are fully considered through the resource consent process.

This rule is consistent with and gives effect to Objective 1.

6.7.5 Signs

**Objective 1:** To ensure the erection of any sign does not result in adverse effects on the visual amenity values of the environment.

**Objective 2:** To ensure signs do not detract from the safety of road users and pedestrians.

It is proposed to reword the existing objectives in relation to signs to provide more meaningful guidance in terms of what Council seeks to achieve in relation to the establishment of signs in the District.
The objectives seek to avoid, remedy or mitigate the effects of signage on the environment by only encouraging signage that is necessary, justified and required for safety reasons. Currently there is a relatively low number of signs around the District and the proposed provisions seek to continue this as an outcome of the District Plan.

There is a desire to ensure that signage must be located and of a size where effects on road users does not result. With the expanse of the District it is important that signs do not distract road users. Restricting signage to the site where the activity is occurring will further reduce the proliferation of signs in the District. Objective 2 seeks to enable this outcome.

Overall the objectives achieve the overarching purpose of the Act to promote sustainable management of natural and physical resources, including the health and safety of the community.

### Objective 1: To ensure the erection of any sign does not result in adverse effects on the visual amenity values of the environment.

#### Policies

<table>
<thead>
<tr>
<th>Number</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.1</td>
<td>To maintain the low frequency of signage existing in the District by restricting the number, size and type of signs erected to ensure visual amenity is maintained.</td>
</tr>
<tr>
<td>1.2</td>
<td>To restrict the illumination of signs to ensure adverse amenity effects from glare, light spill or distractions to road users and the surrounding environment are avoided.</td>
</tr>
<tr>
<td>1.3</td>
<td>To distinguish between permanent and temporary signs and provide for them separately given the difference in their duration.</td>
</tr>
<tr>
<td>1.4</td>
<td>To manage the location, appearance and frequency of temporary signs to ensure they are of limited duration.</td>
</tr>
<tr>
<td>1.5</td>
<td>To manage the cumulative effect of a proliferation of advertising signs on rural amenity.</td>
</tr>
<tr>
<td>1.6</td>
<td>To ensure signage is in keeping with the character of the area or building where it is located.</td>
</tr>
<tr>
<td>1.7</td>
<td>To ensure the erection of advertising signs is only on the site where the activity is occurring.</td>
</tr>
</tbody>
</table>

#### Evaluation of Efficiency and Effectiveness Taking Account of Benefits, Costs and Risk

**Efficiency and Effectiveness**

The policy framework has been modified to deliver a more efficient and effective approach in the management of signs.

The proposed policies achieve Objective 1 by cumulatively addressing the key components that cause adverse effects on visual amenity values. The policies are largely the same as those in the operative District Plan. The key difference is that the policies relate to all zones, not just certain ones, which is often the case in the operative District Plan.
Policies 1.1 and 1.2 address the prospect of a proliferation of signage by seeking to risk the size and types of signage so that the current low occurrence of signage in the District is maintained.

Policy 1.3 ensures the illumination of signs does not result in adverse visual effects such as glare and light spill. This is particularly important for achieving road user safety.

Policies 1.4 and 1.5 target temporary signage and seek to manage the location, appearance and frequency of these signs, given their temporary nature. This is important to achieve the overall intent of Objective 1 to ensure signs do not result in adverse visual effects.

Policy 1.6 seeks to retain the low numbers of signs in rural areas. This approach ensures the open space character of the rural area is protected and is not cluttered by signs.

Policy 1.7 seeks to ensure signs are in keeping with the character of the area or building they are located in. This is particularly important in the townships of the District.

Policy 1.8 limits the erection of signs on properties where the sign does not relate to an activity undertaken on the site. The intent is to reduce the proliferation of signs in the District. The District currently does not have a proliferation of signs. To retain the open and uncluttered character of the rural area Council needs to manage the erection of signs where they don’t relate to activities onsite.

The policies are an efficient and effective way to achieve the outcomes sought by the Objective.

Benefits & Costs
Providing for and appropriately managing all types of signage will provide for the District’s social, cultural and economic wellbeing. While the policies seek to restrict signage in some areas it does not prohibit the use of signs. The provisions are largely the same as the existing District Plan. The costs and benefits are therefore anticipated to be the same as under the District Plan now.

Economic Growth and Employment
The proposed changes are not considered to generate a noticeable increase in employment and economic growth. At the same time the proposed policies are not considered to hinder economic growth or employment.

Risk
The existing provisions are resulting in a District with a reduced level of unnecessary signage. On that basis there is a need to maintain the approach to signs in the revised District Plan provisions. The clarity provided by the proposed policies will achieve the outcomes sought by Objective 1. There is sufficient information for Council to make the changes as proposed.

Alignment with Objective 1
Overall the policies are considered to effectively and efficiently achieve proposed Objective 1 through the reasons given above.
Objective 2: To ensure signs do not detract from the safety of road users and pedestrians.

**Policies**

2.1 To ensure that only official signs and information signs are located within the road reserve.

2.2 To restrict the number, size and type of signs erected to ensure safety of road users and pedestrians.

2.3 To avoid the use of trivision or flashing signs where this could lead to road user distraction.

2.4 To avoid distraction to road users from the occurrence of signs not relating to an activity undertaken on the site.

**Evaluation of Efficiency and Effectiveness Taking Account of Benefits, Costs and Risk**

**Efficiency and Effectiveness**

The proposed policies achieve Objective 2 by cumulatively addressing the key components that cause adverse effects on the safety of road users and pedestrians.

Policy 2.1 seeks to ensure only official signs and information signs are located within the road reserve. Signs in road reserves have a high potential to create sightline obstructions causing safety issues for road users. By restricting the type of sign permitted in road reserve limits the possibility of visual obstructions or distraction.

Policy 2.2 targets the number, size and types of signs displayed around the District. This is to ensure that signs do not distract motorists and pedestrians causing safety issues. The policy will also seek to achieve the overall objective to minimise the proliferation of unnecessary signage in the District. This is critical to ensuring safety for road users, recognising the importance of the roading network to the primary production industry the District is reliant on for economic growth and development.

Policy 2.3 seeks to avoid the use of trivision or flashing signs in the District as these can cause significant distraction for road users, potential resulting in accidents. The operative District Plan has a number of similar provisions due to the importance of the roading network to the District’s primary industry economy and the wider regional economy.

Managing the number and location of signs is already addressed in the operative District Plan. While Policy 2.4 seeks to avoid advertising in some cases, the resulting benefits are retaining the open space character and amenity of the District.

The above policies are considered to be an efficient and effective approach to achieving the outcomes sought in Objective 2.

**Benefits & Costs**

Providing for and appropriately managing all types of signage will allow the District’s roading network to become a safer place. Given that the operative District Plan has similar provisions the benefits and costs are anticipated to be the same as what currently occurs.
Economic Growth and Employment

The proposed changes are not considered to generate a noticeable increase in employment and economic growth. At the same time the proposed policies are not considered to hinder economic growth.

Risk

The minor policy changes proposed are necessary to ensure road user safety and for achieving an effective roading network for the District. On that basis it is considered that the changes proposed are appropriate and that Council has sufficient information in which to act.

Alignment with Objective 2

The purpose of the policies above is to ensure that signs do not distract road users. The District is reliant on the primary production industry which needs a safe and efficient roading network to ensure continued economic growth and development. The limitations on signs and the avoidance of trivision or flashing signs is an important approach to addressing issues in the District. Overall the policies are considered to effectively and efficiently achieve Objective 2.

<table>
<thead>
<tr>
<th>Key Provisions</th>
<th>Permitted Activity Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Permitted Activity Rule 3E.4.1</strong></td>
<td><strong>Standards for Permitted Activities Rule 3E.4.2:</strong></td>
</tr>
<tr>
<td>The following are a Permitted Activity provided that they comply with the standards in Rule 3E.4.2 below:</td>
<td>a. Signs located within the road reserve must comply with the following standards:</td>
</tr>
<tr>
<td>a. Signs and official signs</td>
<td>i. One information sign and one official “welcome to” sign erected at each entrance to a township.</td>
</tr>
<tr>
<td>b. Temporary signs.</td>
<td>ii. No sign may result in visual obstruction or cause confusion for road users, pedestrians or cyclists.</td>
</tr>
<tr>
<td></td>
<td>iii. The maximum sign face area of an information sign or official “welcome to” sign must not exceed 3m². Where a sign is double sided, it may have 3m² on each sign face area.</td>
</tr>
<tr>
<td></td>
<td>iv. One sign placed on the footpath per business premise in the Inner and Outer Business Zones. These signs must:</td>
</tr>
<tr>
<td></td>
<td>a. not exceed 0.8m² in size, and</td>
</tr>
<tr>
<td></td>
<td>b. relate to a product, service or event offered within the premises and must only be placed adjacent to the kerbline outside the premises that they relate to.</td>
</tr>
</tbody>
</table>

**Guidance Note:** Signs on roads may also need approval from the New Zealand Transport Agency or the Council’s Roading Team.
Proposed Manawatu District Plan Chapter 3 District Wide Rules – Section 32 Report

b. Except as provided for in Rule 3E.4.2.a and Rule 3E.4.2.c, all signs must comply with the following standards:
   
   i. One sign may be displayed per site. This includes any sign that is freestanding, or is written on or affixed to a building.

   ii. Signs must relate to the predominant activity on a site, or be associated with an activity otherwise permitted by this Plan or Resource Consent has been granted.

   iii. A sign may be LED, backlit or spot lit but must not be flashing, animated, trivision, or contain revolving lights or lasers.

   iv. Any sign that is LED, backlit or spot lit must not result in light spill into any adjoining property zoned Residential.

   v. No sign may be painted or located on a building roof.

   vi. Signs must not obstruct the clarity of official signs.

   vii. Signs must not create an obstruction or cause safety concerns for road users.

   viii. Signs must also comply with any permitted activity conditions of the zone in which it is located in.

   ix. The maximum sign face area of any sign must not exceed 0.6m², except that signs within the Inner and Outer Business Zones and Industrial Zone must not exceed a maximum sign face area of 3m².

   Guidance Note: The Inner and Outer Business Zones, Manfeild Park Zone and the Special Development Zone have additional signage provisions contained in the relevant zone chapters.

   c. All Temporary Signs must comply with the following standards:

   i. The maximum sign face area of any sign must not exceed 1.5m², except for electioneering signs which must not exceed a maximum sign face area of 3m².

   ii. The erection of a temporary sign must not be for more than two months in any 12 month period.

   iii. Signs must not create an obstruction or cause safety concerns for road users.

   iv. Signs must not be located on Council property or within the legal road reserve.
v. A sign may be LED, backlit or spot lit but must not be flashing, animated, trivision, or contain revolving lights or lasers.

vi. Any sign that is LED, backlit or spot lit must not result in light spill into any adjoining property.

vii. Signs must not obstruct official signs.

viii. Signs for electioneering are only permitted in the two month period prior to the election, and must be removed before the day of the election.

ix. Signs for sporting events, public meetings, galas, market days, and other recreational and festive events must only be permitted in the two month period prior to the event, and must be removed no later than one week after the conclusion of the activity.

x. All signs must be removed from the site no later than one week after the completion of the activity or event the sign was promoting.

xi. Only one sign advertising the sale, rent or auction of a property must be located on the property to which they relate and must be removed no later than one month after settlement.

Alignment with Objectives
The existing signage provisions and standards were largely achieving the desired outcome of avoiding, remedying or mitigating the effects of signs. The operative District Plan has signage rules in each zone, creating unnecessary duplication. The proposed new permitted activity rule combines a number of existing rules into one. The conditions have been amended to provide greater clarity for plan users on what signs are permitted where, including the size of those signs.

The definition of sign and temporary sign has been amended to provide clarity around what constitutes a sign or temporary sign. The definition of sign has caused confusion in the past. The simplification of the definitions will remove any ambiguity for plan users.

A number of standards have been modified to ensure alignment with Objective 2 relating to safety. The use of flashing, animated, trivision, lasers or revolving lights is not permitted for signage because of their potential for distraction of road users.

The number and size of signs has been regulated to ensure Objective 1 is achieved. Restricting the number of signs will avoid the potential for proliferation of signage in the District. The size of signs has been regulated to ensure signs do not dominate the Districts landscapes, particularly residential landscapes, causing adverse visual effects.

In addition, signs must relate to the predominant activity on site. This avoids the use of third party advertising signs which can lead to a proliferation of signs and therefore adversely affects the rural character amenity.
Overall, the provisions proposed seek to ensure signs do not dominate the District’s visual amenity and put road users at risk. Therefore, the provisions are consistent with proposed Objectives 1, 2 and 3.

<table>
<thead>
<tr>
<th>Key Provisions</th>
<th>Rule Provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Discretionary Activities Rule 3E.4.3</td>
<td>Any sign that does not meet the Permitted Activity standards, or is not specifically provided for in this Plan, shall be a Discretionary Activity.</td>
</tr>
</tbody>
</table>

**Alignment with Objectives**

This rule is new and provides clarity that where a proposal cannot meet the permitted activity standards then a consent is required. Any signs under the operative District Plan that were not part of another activity would have been a Non-Complying Activity. This proposed rule is considered to be appropriate for those activities where standards could to be met, or the activity was not already provided for. It allows for a case by case assessment to be made.

The proposed objectives and policies provide clear guidance for plan users on the effects of more concern in relation to signs.

This rule gives effect to the intent of the objectives and policies associated with signs in the District.

### 6.7.6 Temporary Activities

**Objective 1:** To provide for a wide range of temporary activities within the District while ensuring any adverse effects are managed.

Temporary activities are varied in nature and scale while being short in duration. They are also necessary to meet a range of social, cultural and economic needs within the community through temporary activities such as markets, galas, and farming events. Objective 1 seeks to provide for a wide range of temporary activities while ensuring any adverse effects arising from such activities are appropriately managed.

Objective 1 enables people and the community to provide for their social, economic and cultural well-being and therefore is consistent with Section 5 and purpose of the Act.

<table>
<thead>
<tr>
<th>Policies</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.1 To restrict the scale, intensity, location, duration and frequency of temporary activities to manage the adverse effects on the surrounding environment.</td>
</tr>
<tr>
<td>1.2 To ensure temporary activities do not result in adverse amenity effects on noise sensitive activities.</td>
</tr>
</tbody>
</table>

**Evaluation of Efficiency and Effectiveness Taking Account of Benefits, Costs and Risk**

**Efficiency and Effectiveness**
The policy framework has been modified to deliver a more efficient and effective approach in the management of temporary activities. The operative District Plan includes provisions for temporary activities, although there was very little policy guidance.

Temporary activities are an important part of the District’s community and economic well being and have been enabled, whilst recognising that effects need to be managed through use of the proposed provisions.

Restricting the scale, and intensity of temporary activities will mitigate the risk of adverse effects on the surrounding environment resulting from temporary activities.

The most common effects associated with temporary activities are noise, traffic and visual. The duration of temporary activities is often the leading cause in adverse effects resulting from temporary activities. Adverse effects are manageable and tolerable by neighbours if they are only present for a short amount of time. Restricting the duration of temporary activities will ensure adverse effects from temporary activities are avoided, while also enabling some activities.

Noise associated with temporary activities can create adverse effects on surrounding environments, particularly residential environments. Policy 1.2 has the intent of ensuring adverse noise effects from temporary activities are not experience on residential environments.

Overall, the policy framework will allow for a wide range of temporary activities while still ensuring any potential adverse effects are avoided. Therefore, the proposed policies are an effective and efficient way of achieving Objective 1.

Benefits & Costs

Providing for and appropriately managing temporary activities will provide for the Districts social, cultural and economic well-being. The proposed provisions are unlikely to generate benefits and costs greater than those experienced under the District Plan.

Economic Growth and Employment

The proposed changes are not considered to generate a noticeable increase in employment but may encourage economic growth as greater clarity is proposed. The proposed policies will not hinder economic growth or employment.

Risk

The current provisions for temporary activities are ineffective and ambiguous plan users. The importance of temporary activities to the social and economic wellbeing of the community means that the risk for not acting is high.

Alignment with Objective 1

Overall the policies are considered to effectively and efficiently achieve the outcomes sought by proposed Objective 1.
### Permitted Activities Rule 3F.4.1

For all zones, the permitted activities specified in Rule 3C.4.1 above must comply with the following standards:

### Standards for Permitted Activities Rule 3F.4.2

Temporary activities must comply with the following standards:

<table>
<thead>
<tr>
<th>a.</th>
<th>For sporting events, public meetings, galas, market days, and other recreational and festive events:</th>
</tr>
</thead>
<tbody>
<tr>
<td>i.</td>
<td>Hours of operation occur between 7am – 10pm, and</td>
</tr>
<tr>
<td>ii.</td>
<td>Duration not exceeding 3 consecutive days, and</td>
</tr>
<tr>
<td>iii.</td>
<td>No more than 4 events of a similar nature on the same site, in any 12 month period, and</td>
</tr>
<tr>
<td>iv.</td>
<td>Temporary buildings and structures must be readily moveable, meet all yard setback requirements of this Plan and must be removed from the site upon the completion of the temporary activity.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>b.</th>
<th>Temporary buildings and structures must:</th>
</tr>
</thead>
<tbody>
<tr>
<td>i.</td>
<td>be readily moveable;</td>
</tr>
<tr>
<td>ii.</td>
<td>meet all yard setback requirements of this Plan;</td>
</tr>
<tr>
<td>iii.</td>
<td>be removed from the site within 6 months of the commencement of the activity;</td>
</tr>
<tr>
<td>iv.</td>
<td>not occupy a site for more than one 6 month period in any 12 months.</td>
</tr>
</tbody>
</table>

**Guidance Note:** Consideration must also be given to the requirements of the Building Act (2004) and the Building Code for temporary buildings and structures.

| c. | The temporary storage of materials and goods must not exceed a period of more than 6 calendar months. |
| d. | The demolition of buildings, excluding those buildings identified in Chapter 4 - Historic Heritage, provided the materials and debris from the demolition are removed from the site no later than one month after the completion of demolition. |
| e. | Noise associated with temporary activities must comply with the noise provisions relating to the zone it is located in. |
| f. | All temporary activities, including buildings and structures, shall be located outside of the National Grid Yard. |

### Alignment with Objective

The current provisions relating to temporary activities are ineffective and ambiguous. The proposed provisions intend to create clear rules and activity standards that encourage temporary activities where adverse effects can be avoided or mitigated.

The regulation of hours of operation and duration helps to avoid a number of effects that can often be associated with temporary activities when regulation is not applied.
The hours of operation are critical in ensuring noise from temporary activities does not generate effects beyond the site of the temporary activity.

Regulation of temporary buildings and temporary storage of material and goods will avoid any visual adverse effects that often arise when these items are left in a visible area for an extended period of time.

Seeking all temporary activities to comply with noise provisions listed in the District Plan will ensure temporary activities do not cause adverse noise effects on noise sensitive environments such as residential.

Overall, the proposed provisions are consistent in achieving the intent of Objective 1.

<table>
<thead>
<tr>
<th>Key Provisions</th>
<th>Rule Provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Discretionary Activities Rule 3F.4.3</strong></td>
<td>Any temporary activity that does not meet the Permitted Activity standards, or is not specifically provided for in this Plan, shall be a Discretionary Activity.</td>
</tr>
</tbody>
</table>

**Alignment with Objective**

The intent of this rule is that any temporary activity that cannot meet the permitted activity conditions will default to a discretionary activity. This will allow Council to fully assess the proposed activity and impose conditions to manage or mitigate adverse effects.

This rule is essentially the same as under the operative District Plan. This approach has been successful to date and there is no reason to alter the classification. Overall, the proposed provisions are consistent in achieving the intent of Objective 1.

### 6.7.7 Relocated Buildings

**Objective 1:** To enable the relocation and establishment of relocated buildings only where remedial works will ensure the building maintains the visual amenity values of the surrounding area.

Relocated buildings are a way for some development to occur in the District. The operative District Plan lacks a specific objective for relocated buildings. Previously used buildings to be relocated from another site are typically of older construction and require remedial works to achieve a reasonable standard of amenity within the District.

Objective 1 enables people and the community to provide for their social and economic wellbeing by enabling the relocation of previously used buildings, provided an appropriate level of amenity is retained. This is consistent with the provisions of the Act.
1.1 To ensure any remedial and upgrading works undertaken are completed in a timely and efficient manner.

1.2 To ensure any remedial and upgrading works will result in a relocated building achieving a level of visual amenity the same or better than the surrounding area.

1.3 To encourage relocated buildings that are of an age, character and condition that requires minimal remedial work.

Evaluation of Efficiency and Effectiveness Taking Account of Benefits, Costs and Risk

Efficiency and Effectiveness

The policy framework has been established to provide a robust framework for assessing and managing relocated buildings in the District.

The key issue with relocated buildings is the need for the older buildings to have remedial works undertaken to ensure that the final building reflects the amenity of the surrounding area. This ensures buildings are not left in a bad state of repair resulting in an eyesore for the wider community. These policies essentially reflect the process that has been undertaken by the Council in the past, and provides greater certainty for plan users.

Policy 1.4 is a new provision which recognises the growing occurrence of showhomes being constructed with the specific intention of being moved to another site.

The policies are considered to be an effective and efficient way to ensure that relocated buildings occur in such a manner that they are remediated to maintain or enhance the amenity of the area in which they are located.

Benefits & Costs

Including policy guidance for activities that have already been provided for in the operative District Plan will provide plan users with greater certainty for what effects are of more concern and the expectation of Council. Enabling the relocation of buildings in the District will enable the Districts social, cultural and economic wellbeing. No greater costs are anticipated as a result of the inclusion of these policies.

Economic Growth and Employment

The proposed changes are not considered to generate a noticeable increase in employment and economic growth, given that the activity of relocated buildings is already provided for in the District Plan.

Risk

The use of relocated buildings, and in particular showhomes, is becoming more regular. The Council has sufficient information with which to act. The operative District Plan does not include policy guidance for relocates which means that plan users are not afforded sufficient certainty. Decision makers also have no guidance for when assessing consent applications.

Alignment with Objective 1

The purpose of the above policies is to ensure relocated buildings are enabled, while ensuring effects on amenity are managed. This approach is considered to be consistent with Objective 1.
### Key Provisions

#### Controlled Activities Rule 3G.4.1

Any relocated building is a Controlled Activity in any zone provided they comply with the following standards:

<table>
<thead>
<tr>
<th>a.</th>
<th>All applications for a relocated building must provide a building pre-inspection report prepared by a suitably qualified and experienced person, acceptable to the Council. That report must include:</th>
</tr>
</thead>
<tbody>
<tr>
<td>i.</td>
<td>All remedial and upgrading works that are to be completed to the exterior of the building following relocation to the destination site;</td>
</tr>
<tr>
<td>ii.</td>
<td>The timeframes for completing all remedial or upgrading works after the installation of the building on its destination site;</td>
</tr>
<tr>
<td>iii.</td>
<td>An itemised estimate of the value of the works to the exterior of the building that are outlined in 3G.4.3 a. i above;</td>
</tr>
<tr>
<td>iv.</td>
<td>Photographs of the building to be relocated, including each elevation and the roof clearly showing any areas where remedial and upgrading works are required;</td>
</tr>
<tr>
<td>v.</td>
<td>Photographs of the wider receiving environment and site where the relocated building will be located.</td>
</tr>
<tr>
<td>b.</td>
<td>Relocated buildings for future residential use must have been previously used as a dwelling.</td>
</tr>
<tr>
<td>c.</td>
<td>The relocated building is not located in the Flood Channel Zone.</td>
</tr>
<tr>
<td>d.</td>
<td>Compliance with all standards specified for permitted activities in the relevant zone and other parts of this Plan.</td>
</tr>
</tbody>
</table>

For this activity, Council has reserved its control over, and may impose conditions on a resource consent when considering, the following matters:

| o | Requirements for remedial works and upgrading the exterior of the building to ensure visual amenity of the surrounding area is maintained. |
| o | The time allowed for remedial works and upgrading to be completed once the relocated building is located on its destination site. |
| o | A bond, of the nature provided for in the Resource Management Act (1991), further secured by deposits of cash with the District Council, to ensure compliance with consent conditions. The bond |
must be paid prior to the movement of the building to its new site, and shall be to the value of any remedial or upgrading work as identified in 3G.4.1(a), as assessed by a suitable qualified and experienced person.

- The immediate installation of the relocated building onto permanent foundations upon delivery to the destination site.
- The suitability of the relocated building for intended reuse.
- How the age and character of the building is consistent with the level of amenity in the surrounding environment.
- How the standards for permitted activities in the relevant zone and other parts of this Plan have been met.

Alignment with Objective

This rule is consistent with the operative District Plan provisions which state that any relocated building is a controlled activity subject to specific matters of control. The provisions of this rule have been amended from the operative District Plan to provide greater clarity for plan users and to reflect issues that the Council has faced in relation to relocated buildings in the past. The use of bonds has been successful in the operative District Plan to ensure older relocated buildings are repaired resulting in an appropriate level of amenity for the zone or area in which they are located.

Many of the past conditions on consents for relocated buildings were intended to provide for safe access, tidy appearance of the buildings on the site, and to ensure appropriate stormwater management.

Reference is also made to ensure that any relocated building also complies with the specific zone provisions, such as the bulk, location and setback rules in other parts of the Plan. This ensures the amenity outcomes sought elsewhere in the Plan are also achieved.

While some of these remedial works relate to matters under the Building Act 2004, they are also relevant to the overall purpose and intent of the Resource Management Act 1991, in particular the amenity of the area in which they are located in.

This amended rule is consistent with and seeks to achieve the outcomes sought by Objective 1.

<table>
<thead>
<tr>
<th>Key Provisions</th>
<th>Rule Provisions</th>
</tr>
</thead>
</table>
| Non-Notification of Controlled Activities Rule 3G.4.2 | Under section 77D of the Resource Management Act (1991), an activity requiring resource consent under Rule 3G.4.3 will not be publicly notified, except where:  
  - The applicant requests public notification (in accordance with Section 95A(2)(b)), or  
  - The Council decides special circumstances exist (in accordance with Section 95A(4)). |
This is a new rule to provide certainty for plan users that applications for controlled activity consents will not be notified. This rule, in conjunction with the controlled activity standards is consistent with the Objective.

### Key Provisions

<table>
<thead>
<tr>
<th>Rule Provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Restricted Discretionary Activities Rule 3G.4.3</strong></td>
</tr>
<tr>
<td>The following activities are a Restricted Discretionary Activity, in all zones, in respect to relocated buildings:</td>
</tr>
<tr>
<td>o Any relocated building that does not comply with the Controlled Activity standards or does not comply with the relevant Permitted Activity standards in all other parts of the District Plan</td>
</tr>
</tbody>
</table>

For this activity, Council has restricted its discretion to considering the following matters:

| o Scale of built form and location on site |
| o Exterior remedial and upgrading works |
| o Time for remedial and upgrading works to be completed |
| o The extent of non-compliance with the standard(s) in the Plan |
| o Provision of a bond to ensure remedial and upgrading works are completed. |

In determining whether to grant a resource consent and what conditions to impose, the Council will, in addition to the objectives and policies of the Relocated Buildings section and the relevant Zone, assess any application in terms of the following assessment criteria:

i. Whether the application remains consistent with the intention of the standard(s) it infringes.

ii. The extent to which there will be adverse effects where an application does not meet the standards.

iii. Whether the application will result in adverse effects on the character and amenity values of the immediate surroundings or wider streetscape.

iv. The need for remedial works and upgrading to ensure visual amenity of the surrounding area are maintained.

v. The proposed time for remedial works and upgrading to be completed once the relocated building is located on its destination site.

vi. The bond proposed to be lodged with Council is of sufficient value to cover the cost of completing the required remedial and upgrading works.

### Alignment with Objective
The operative District Plan has a similar rule for activities which do not meet the permitted activity performance standards. This is a new rule that seeks to ensure that the provisions of the various zone chapters which result in the look and feel (amenity) of an area are achieved.

This rule also provides certainty for plan users that relocated buildings that do not meet the permitted activity standards in the zone they are to be located in are a Restricted Discretionary Activity. For instance building setbacks from boundary and height requirements.

The matters of discretion all relate to achieving the amenity of the surrounding area where the relocated building is proposed to be located, consistent with the intent of Objective 1.

<table>
<thead>
<tr>
<th>Key Provisions</th>
<th>Rule Provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Discretionary Activities Rule 3G.4.4</td>
<td>Any relocated building not provided for as a Controlled or Restricted Discretionary Activity or is located in the Flood Channel Zone is a Discretionary Activity.</td>
</tr>
</tbody>
</table>

**Alignment with Objective**

This is essentially a ‘default’ rule for relocated buildings that can not meet the previous rules or for relocated buildings in the Flood Channel Zone. This is similar to the operative District Plan, which also provided for relocated buildings as a discretionary activity.

Relocated buildings in the Flood Channel Zone are also Discretionary Activities in the operative District Plan. It remains important that development in the Flood Channel Zone does not adversely affect flood flows, through creating a flow impediment, which could cause greater effect on the health and safety of the community. Building development in the Flood Channel Zone should be assessed on a case by case basis. There is no evidence to change the approach currently in the District Plan with regards to relocated buildings in the Flood Channel Zone.

This proposed rule is considered to be an appropriate rule for those activities where the activity was not already provided for and gives effect to the intent of the objective and policies associated with relocated buildings.

### 6.8 Statutory Evaluation

**Section 5: Purpose of the Act**

The purpose of the Act (Section 5(1)) is to promote the sustainable management of natural and physical resources. Enabling people to make provision for their social, economic and cultural well-being and health and safety, is qualified by the goals described in paragraphs (a), (b) and (c) of Section 5(2), as follows:

*Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
Safeguarding the life supporting capacity of air, water, soil and ecosystems; and

Avoiding, remedying, mitigating any adverse effects of activities on the environment

Of note with respect to the duties contained in Part 2 however, is the fact that they are by no means confined solely to effects. The definition of “sustainable management” refers not only to “… avoiding, remedying, or mitigating any adverse effects …” but also the conjunctive requirement of “sustaining the potential of natural and physical resources … to meet the reasonably foreseeable needs of future generations.”

Meeting the reasonable foreseeable needs of future generations requires consideration of how resources, inclusive of urban infrastructure and development, are to be used and to what extent they are to be used. These are primarily issues of allocation and scale and therefore, by inference, of efficiency.

The objectives and policies of PC55 are established on a statutory obligation to manage the use and development of physical resources in a way that sustains the potential of physical resources to meet the reasonably foreseeable needs of future generations while managing environmental effects.

On the evidence above, PC55 is considered to be consistent with upholding the purpose of the Act.

Section 6: Matter of National Importance

Section 6 of the Act identifies matters of national importance for consideration. Of relevance to PC55 is the following matter:

(b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development;

PC55 contains regulatory framework to ensure that the Districts outstanding natural landscapes and features are protected from inappropriate subdivision, use and development. In particular, the earthworks section contains provisions regarding sites of significance including those outstanding natural landscapes and features already identified in the District Plan.

Section 7: Other Matters

Section 7 raises a number of related matters, with respect to:

(b) the efficient use and development of natural and physical resources;
(c) the maintenance and enhancement of amenity values;
(f) maintenance and enhancement of the quality of the environment;
(g) any finite characteristics of natural and physical resources;
(i) the effects of climate change.

The provisions proposed as part of this Plan Change enables the efficient use and development of natural and physical resources while maintains and enhancing the amenity values of the District.

PC55 is therefore considered to have particular regards to these matters, as required by Section 7 of the Act.
Section 8: Treaty of Waitangi

PC55 does not propose to alter any significant sites that are listed within the District Plan as being significant to iwi. The proposal is therefore considered to be consistent with Section 8 of the Act.

Other Matters to be considered

The Act requires consideration to also be given to other statutory documents where these are relevant. Those documents relevant to this plan change are already identified earlier in this report.

Summary

On the evidence of the above assessment, and with reference to other discussion and assessment in this Report, the proposed changes presented in PC55 are consistent with Council’s statutory obligations under the Act.

This plan change will enable the community to provide for their social, economic and cultural wellbeing while recognising the potential environmental effects on surrounding uses, particularly in relation to activities near residential uses or key sites of significance. PC55 does not propose substantial change in the provisions, rather a change in the structure of the Plan, introduction of earthworks provisions and bringing the existing provisions up to date with current issues and obligations.

This evaluation has been undertaken in accordance with Section 32 of the Act in order to identify the need, benefits and costs arising from PC55 and the appropriateness of the proposed approach having regard to its effectiveness and efficiency relative to other means of achieving the purpose of the Act. The evaluation demonstrates that the proposed plan change meets the requirements of Section 32 of the Act.
Appendix 1 – New Chapter 3 – District Wide Rules
3.0 DISTRICT WIDE RULES

3.1 Introduction

This chapter contains provisions that apply in the Manawatu District relating to:

- Network utilities:
- Transport
- Noise
- Earthworks
- Signage
- Temporary activities
- Relocated buildings

This chapter should be read along with the relevant zoning provisions. If the zoning rules are more specific than the provisions contained in this chapter, then they shall apply.

3A NETWORK UTILITIES

3A.1 Introduction

Network utilities, including infrastructure of regional and national importance, are an essential part of the District’s infrastructure. Communities rely on network utilities to function. It is therefore critical the development, operation, upgrading and maintenance of these essential services are managed appropriately to ensure the social, economic and cultural wellbeing of those in the District.

The National Grid is managed and regulated in part by the National Policy Statement on Electricity Transmission 2008 (NPSET) and the Resource Management (National Environmental Standards for Electricity Transmission Activities (NESETA). The NPSET came into effect on 13 March 2008 and recognises the national significance of the National Grid in its entirety. The NPSET facilities the operation, maintenance and upgrade of the existing National Grid network and the establishment of new National Grid assets. The District Plan is required to give effect to the NPSET.

The NESETA came into effect on 14 January 2010. The NESETA sets out a national framework for permissions and consent requirements for activities on National Grid lines existing at 14 January 2010. Activities include the operation, maintenance and upgrading of existing lines but exclude the development of new lines and substations. The NESETA must not be in conflict with nor duplicate the provisions of the NESETA.

The Manawatu Wanganui Regional Council’s One Plan also recognises the regional and national importance of a range of infrastructure in the region. The Regional Policy Statement section of the One Plan (RPS) requires that councils have regard to the benefits that derive from regionally and nationally important infrastructure and
utilities, and that the establishment, operation, maintenance and upgrading of such infrastructure be provided for in the District Plan. The RPS also requires that the Council ensure that adverse effects from other activities on network utility infrastructure are avoided as reasonably practicable.

This chapter provides clarification to network utility operators for activities that can be undertaken without a resource consent, and the parameters these activities must comply with. The District Plan provides for a large range of works to be permitted subject to performance standards.

Subdivision, use and development can adversely impact surrounding network utilities. Therefore, additional provisions relating to setbacks from key network utilities are included in the Chapter 8 - Subdivision. Earthworks when undertaken in proximity to network utilities can undermine the infrastructure asset. Provisions restricting earthworks near some network utilities are contained in the earthworks section of this chapter.

3A.2 Resource Management Issues
The following resource management issues have been identified in relation to network utilities:

1. To provide for the safe, effective and efficient operation of network utilities, including infrastructure of regional and national importance.

2. Recognising that network utilities have technical and operational requirements that may dictate their location and design.

3. The safe, effective and efficient operation, upgrading and maintenance of network utilities can be put at risk by inappropriate subdivision, use and development.

4. The need to balance the visual amenity effects of network utilities against their locational needs.

5. The need to manage the disposal of solid waste material by reusing and recycling where possible, while avoiding the use of contaminated soils.

6. Recognising the constraints on existing network utilities when considering new development.

7. Potential effects from electromagnetic and other forms of radiation.
3A.3 Objectives and policies

Objective 1

To ensure network utilities are designed, located, constructed, operated, upgraded and maintained in a manner that ensures the efficient use of natural and physical resources while recognising the environment they are located in.

Policies

1.1 To enable the establishment, operation, maintenance and minor upgrading of network utilities.

1.2 To encourage network utility operators to coordinate and co-locate services or to locate within the existing roading network where possible to minimise potential cumulative effects.

1.3 To require that all new cables and lines, including electricity distribution lines (but not the National Grid) are installed underground.

1.4 To recognise the locational, technical and operational requirements of network utilities and the contribution they make to the functioning and wellbeing of the community.

1.5 To ensure network utilities are constructed and located in a manner sensitive to the amenity and landscape values where they are located.

Objective 2

To protect the operation of network utilities, including infrastructure of regional and national importance, from the potential adverse effects of subdivision, use, development and other land use activities.

Policies

2.1 To ensure that any vegetation is planted and maintained to avoid interference with network utilities, including transmission lines and the National Grid Yard.

2.2 To require that appropriate separation of activities is maintained to enable the safe operation of network utilities, and avoid reverse sensitivity issues.

2.3 To ensure all subdivision and development is designed to avoid adverse effects on the operation, access, maintenance and upgrading of network utilities.

Objective 3

To restrict, except within an existing road carriageway, the development of network utilities within areas of significant heritage and landscape value recognising the values of these important areas.
Policies
3.1 To protect the values that cause an Outstanding Natural Feature and Landscape to be identified in Appendix 1C from inappropriate subdivision, use and development.

3.2 To restrict the development of network utilities, except within an existing road carriageway, within areas of significant heritage and landscape value in Appendix 1A (Wetlands, Lakes, Rivers and their Margins), 1B (Significant Areas of Indigenous Forest/Vegetation (excluding Reserves), 1C (Outstanding Natural Features), 1D (Trees with Heritage Value) and 1F (Sites with Heritage Value) unless there is no alternative location.

3A.4 Rules
Rules in this chapter apply District-wide and the chapter needs to be read in conjunction with the District Plan maps, relevant appendices and provisions of the applicable zone.

3A.4.1 Permitted Activities
The following network utilities are Permitted Activities throughout the District, provided that they comply with the standards in Rule 3A.4.2 below:

a. The operation, maintenance, minor upgrading or repair of network utilities existing as at [add decision date] or which have been lawfully established.

b. Construction, operation, maintenance, realignment and upgrading of roads and railway lines within the road reserve or railway corridor.

c. Radiocommunication and/or telecommunication facilities, cables and lines, including those underground.

d. Underground pumping stations and pipe networks for the conveyance or drainage of water or sewage, and necessary incidental equipment.

e. Water storage tanks, reservoirs and wells, including pump stations.

f. Pipes for the distribution (but not transmission) of natural or manufactured gas at a gauge pressure not exceeding 2000kPa including any necessary ancillary equipment such as household connections and compressor stations.

g. The construction, operation, maintenance and upgrading of any new electricity lines up to and including 110kV and associated transformers and switchgear.

h. Soil conservation, erosion protection, river control or flood protection works undertaken by, or on behalf of the Manawatu Wanganui Regional Council.

i. Land drainage, stormwater control or irrigation works including pump stations.
j. Railway crossing warning devices and barrier arms.

k. Trig stations and survey marks.

l. Navigational aids, lighthouses and beacons.

m. Meteorological instruments and facilities.

n. Decommissioning and removal of utilities.

o. Electric vehicle charging stations.

Guidance Notes:

1. The provisions of the National Environmental Standard for Telecommunications Facilities (2008) apply and resource consent may be required under those Standards.

2. Earthworks are also regulated by the Manawatu-Wanganui Regional Council and a resource consent maybe required under the rules of the One Plan.

3. The National Environmental Standard for Electricity Transmission Activities (2010) (NESETA) sets out a national framework of permission and consent requirements for activities on National Grid lines existing at 14 January 2010. Activities include the operation, maintenance and upgrading of existing lines but exclude the development of new lines (post 14 January 2010) and substations. The District Plan must not be in conflict with nor duplicate the provisions of the NESETA.

4. Vegetation and planting around Transmission Lines (National Grid) shall comply with the Electricity (Hazards from Trees) Regulations 2003.

5. The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) contains restrictions on the location of structures and activities in relation to the lines.

3A.4.2 Standards for Permitted Activities

For all zones, the permitted activities specified in Rule 3A.4.1 above must comply with the following standards:

a. New network utilities and minor upgrading must not exceed a maximum height of

i. 9m within the Residential or Village Zone, or

ii. 20m for all other zones.
**Guidance Note:** antennas or lightning rods that do not extend 3m above the height of the building or mast are excluded from the 9m or 20m limit above. The mast heights provided in i and ii above can be increased by 5m if the mast is used by more than one telecommunications provider. Refer also to Clause f relating to transmission line requirements.

b. Any mast with a height of more than 9m must not be located within 20m of any site zoned Residential or Village.

c. All masts must be set back 20m from a road reserve on any site zoned Rural or Flood Channel.

d. No mast, building or structure may be located closer than 5m to any site boundary. This 5m yard does not apply to buildings with a floor area of less than 10m², or to overhead lines and cables.

e. Telecommunication cabinets must not exceed 10m² in area in all zones, except in Flood Channel Zone where cabinets must not exceed 5m² in area.

f. Poles or towers associated with electricity transmission and distribution must not exceed a height of:

i. 12m in the Residential and Inner Business Zones, or

ii. 20m in all other zones.

g. Buildings and structures within an electricity transmission corridor, including the National Grid Yard must:

i. Comply with the New Zealand Code of Practice for Electrical Safe Distances 2001 (NZECP34:2001), and

ii. Not exceed a maximum height of 2.5m and an area of 10m².

h. Any radiocommunication and/or telecommunication facility must be designed and operated to comply with the maximum exposure levels (3kHz to 300 GHz) as prescribed by NZ Standard NZS2772.1:1999 Radiofrequency Fields.

i. No dish antenna will exceed a diameter of:

i. 2.5 metres in the Residential Zone, or

ii. 5m in all other zones.

j. Where network utilities are located underground, any disturbance of the ground surface and any vegetation must be reinstated or replaced upon completion of the works within the first available planting season.
**Guidance Note:** The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (2011) also applies to earthworks and a resource consent may be required under those provisions.

k. For any construction work associated with any infrastructure that is undertaken in the legal road, the person responsible for that work must be able to demonstrate compliance with the National Code of Practice for Utility Operators Access to Transport Corridors (2011).

l. Works associated with any network utility, except within an existing road carriageway, must not result in adverse effects on the values or characteristics for any significant historic built or natural heritage specified in Appendix 1A (Wetlands, Lakes, Rivers and their Margins), 1B (Significant Areas of Indigenous Forest/Vegetation (excluding Reserves), 1C (Outstanding Natural Features), 1D (Trees with Heritage Value) and 1F (Sites with Heritage Value) of this Plan.

m. Exterior lighting must be directed away from public places and adjoining sites, and must avoid any spill of light that may result in safety concerns for road users.

n. Metal cladding or fences must be painted or otherwise treated to mitigate reflection.

o. All road/rail level crossings must be kept clear of buildings and other obstructions which might block sight lines in accordance with Appendix 3B.

p. All network utilities must meet the noise standards relevant to the zone they are located in.

q. All activities must be managed so that no vibration is discernible beyond site boundaries.

r. Electric vehicle charging stations must not exceed 1.5² in area and 1.8m in height per charging station in all zones.

**Guidance Notes:**

1. Vegetation planted within an electricity transmission corridor, including the National Grid Yard should by selected and managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.

2. The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) contains restrictions on the location of structures and activities in relation to the lines.

3. Buildings, structures and other activities near transmission gas lines should be managed according to the Operating Code Standard for Pipelines – Gas and Petroleum (NZS/AS 2885) and the Gas Distribution Networks (NZS 5258:2003).
4. Compliance with the permitted activity standards in Rule 3A.4.2 does not necessarily ensure compliance with the relevant code of practice identified above.

5. Sounds generated by construction, maintenance and demolition activities will be assessed, predicted, measured, managed and controlled by reference to NZS6803:1999 Acoustics – Construction Noise.

3A.4.3 Restricted Discretionary

The following activities are Restricted Discretionary Activities in respect to network utilities:

a. Any permitted activity that does not comply with any of the relevant standards in Rule 3A.4.2.

For these activities, the Council has restricted its discretion to considering the following matters:

- scale of built form and location on site, including height
- screening, storage and landscaping
- traffic generation, site access and parking
- noise and vibration
- signage
- lighting
- effects on heritage
- known effects on the health and safety of nearby residents.

In determining whether to grant a resource consent and what conditions to impose, the Council will, in addition to the objectives and policies of the Network Utilities section and the relevant zone, assess any application in terms of the following assessment criteria:

i. the proposed benefits of the network utility proposal to the wider community.

ii. whether the activity will result in any adverse effects on amenity values of neighbouring properties or the character of the zone in which the activity is proposed.

iii. whether the application remains consistent with the intention of the standard(s) it infringes.
iv. the degree to which the non-compliance can be mitigated to ensure the effects are internalised to the site.

v. the degree to which co-location has been considered and is possible.

vi. whether the activity impacts on the heritage of the District and how such impacts are mitigated.

vii. the degree to which the proposed location, site or route is better than alternative locations, sites, or routes.

viii. the degree to which the proposed facility may affect the performance of other utilities nearby.

ix. the technical and operational needs for the efficient functioning of the network utility.

3A.4.4 Discretionary
Any network utility not otherwise specified as Permitted, Restricted Discretionary or Non-Complying Activity, or is not specifically provided for in this Plan, shall be a Discretionary Activity.

3A.4.5 Non-Complying
Any network utility located within an Outstanding Natural Feature or Landscape in Appendix 1C is a Non-Complying Activity.
3B TRANSPORT

3B.1 Introduction

The transport network is vital infrastructure in the District, which physically connects the Manawatu District communities and the wider Manawatu Region enabling economic growth. The transport network in this chapter refers to both the road and rail networks throughout the Manawatu District.

Traffic generated by new land uses has the potential to increase the risk of accidents. Careful planning of access ways, land use development near key roads and controlling the type and location of vehicle intensive activities establishing near highways or key roads within the District can ensure efficient through movement.

Primary industry relies heavily on key transportation routes in the District. The Roading Hierarchy identifies these routes and the District Plan seeks to manage activities to avoid unnecessary conflict. A number of State Highways traverse the District and recognition of the role of NZTA in managing these routes is noted throughout the chapter. There are some instances where approval from NZTA as the road controlling authority for the State Highway network is required.

Most of the State Highways running through the District are “Limited Access Roads”. This means that the NZ Transport Agency (or the Council for State Highways within urban areas) has control over the number and location of new vehicles crossings and over new subdivision adjoining these roads. If a proposal meets this Plan’s standards, however, approval from the NZ Transport Agency will be a formality.

Increasing national priority is being given to recognising and providing for alternative transportation methods, such as cycling, walking and passenger transport.

3B.2 Resource Management Issues

The following resource management issues have been identified in relation to transportation:

1. Potential effects from development on the safety and efficiency of the transport network.

2. The need to plan for and design roads to ensure they function in accordance with their status in the Roading Hierarchy.
3. Providing for alternative transport modes such as walking, cycling and passenger transport in urban areas to reduce car dependency where possible.

### 3B.3 Objectives and policies

#### Objective 1

To maintain and enhance the safe, efficient and integrated operation of the transport network within the District.

#### Policies

1.1 To ensure that the adverse effects of vehicle movements to and from roads are managed by:

   a. Requiring appropriate sight lines for vehicles at railway crossings, at intersections and at property entrances and exits.

   b. Ensuring that vehicle crossings are formed to a safety standard appropriate to the function, as defined in the Roading Hierarchy in Appendix 3B.1, of the road concerned.

   c. Preventing vegetation, signs and structures from obscuring official signs or posing a risk to road users.

   d. Providing appropriate facilities for pedestrians and cyclists, particularly in urban areas.

   e. Ensuring that new vegetation plantings are managed to maintain adequate visibility at road intersections and property accesses, and to minimise icing of roads.

1.2 To ensure that the adverse effects of vehicle movements associated with access ways are managed by:

   a. Limiting the number of new vehicle crossings onto all roads.

   b. Requiring all accesses onto roads to be built to a standard that is appropriate for their intended use.

   c. Ensuring that property accesses are spaced, constructed and used in a manner which does not disrupt traffic flows.

   d. Ensuring that traffic generation to and from sites is managed through car equivalent movements to ensure traffic, including heavy vehicles, are compatible with the roading network.

1.3 To ensure development setbacks near railway level crossings are achieved to maintain sight distances as specified in Appendix 3B.5.
**Objective 2**
To protect the roading network, as identified in Appendix 3B.1, from the potential adverse effects of all land use activities.

**Policies**
2.1 To establish and maintain a roading hierarchy for roads in the District.
2.2 To recognise the importance of maintaining the safety and efficiency of the District’s roading network.
2.3 To restrict the through movement of traffic where this can have adverse effects on visual, noise and safety on adjacent residential uses.
2.4 To promote corridor management for key road routes within the District, which may include restricting or encouraging the through movement of vehicles.
2.5 To enable the development of network utilities in the road reserve only where the roading network has the capacity to accommodate them.

**Objective 3**
To mitigate the adverse effects of roads and vehicles on amenity values of the District.

**Policies**
3.1 To ensure all roads are designed to achieve form and function consistent with the Roading Hierarchy and road cross sections in Appendix 3B.1 and Appendix 3B.2 respectively.
3.2 To mitigate the effects of roads and parking areas on visual amenity values through the provision of landscaping.
3.3 To support and encourage walking and cycling as alternative modes of transport.
3.4 To require that building materials and exterior lighting do not cause reflection or light spill that distracts road users.
3.5 To ensure roads are designed recognising alternative modes and the need to provide local road amenity.
3.6 To ensure development of new roads is integrated into the existing roading network in a coordinated manner.

**3B.4 Rules**
Rules in this chapter apply District-wide and the chapter needs to be read in conjunction with the District Plan maps, relevant appendices and provisions of the applicable zone. This section includes some rules and some performance standards that relate to permitted activities within each zone in the District.
3B.4.1 **Roads – Permitted Activity**

All roads are a Permitted Activity.

**Guidance Note:** Roads other than State Highways are not designated under this Plan and are zoned instead. The zoning of roads must be the same as that of the adjoining land. If the zoning on opposite sides of the road is different, then the road centreline is the zone boundary.

3B.4.2 **Access – Permitted Activity**

The formation of vehicle crossings onto roads is a Permitted Activity in all zones provided that they comply with the standards in Rule 3B.4.3 below.

**Guidance Note:** All vehicle crossings must be constructed according to Council policy and that Council’s vehicle crossing application form is completed and submitted for approval.

3B.4.3 **Access – Standards for Permitted Activities**

For all zones the formation of vehicle crossings onto all roads must comply with the following standards:

a. All vehicle crossings must be sited in accordance with the minimum sight distances and intersection spacing’s as defined in Appendix 3B.3.

b. Vehicle crossings may only be constructed on Major Arterial Road or Minor Arterial Road identified in Appendix 3B.1 if there is no alternative legal access from the site to another road.

c. In the Outer Business Zone, vehicle access to sites from SH54/Aorangi Street, between Gladstone St and Eyre Street, must be left turn in and left turn out only.

d. No new vehicle crossings will be located within 30m of any railway level crossing.

e. Existing vehicle crossings that are within 30m of a railway level crossing must be maintained to ensure the sightline standards detailed in Appendix 3B.5 are met.

f. No dwelling or accessory building will have access via an unformed legal road (paper road).

g. Onsite manoeuvring must be provided for vehicles to enter and exit in a forward direction.
h. Vehicle crossing movements must not exceed 100 car equivalent movements per day and the car equivalent movements must be calculated in accordance with Appendix 3B.4.

i. Accessways and vehicle crossings must comply with the sight distances and minimum spacing identified in Appendix 3B.3 Measurement of Sight Distances and Minimum Spacing.

### 3B.4.4 Glare – Standards for Permitted Activities

Any Permitted Activity within any zone in the District Plan must also comply with the following glare standards:

a. Exterior lighting must be directed away from public places and adjoining premises and must avoid any spill of light that may distract road users.

b. There must be no sun-strike effect on road users resulting from mirrored glazing or unpainted corrugated iron fences.

### 3B.4.5 Car Parking – Standards for Permitted Activities

Any activity in the District must also comply with the following car parking standards:

**Assessment of Car Parking Requirements**

a. Car parking requirements must be determined using Table 3B.1 Car Parking Standards, provided onsite and must be assessed in accordance with the following matters:

i. Where two or more buildings are located on the same site, car parking requirements for potential activities within each building must be achieved, and

ii. For a multi-purpose site where all facilities may be used at one time, the total parking requirements for each facility will have to be provided.

iii. Any fraction under one half resulting from car parking space calculations will be disregarded. Fractions of one half or more will be counted as one car parking space, and

iv. Car parking requirements based on staff numbers will be calculated using fulltime equivalent staff members for the activity concerned.

**Car Parking and Manoeuvring Spaces, and Access**
b. Sites outside the area shown in Appendix 3B.6 must provide onsite car parking in accordance with Table 3B.1 Car Parking Standards.

c. Car parking spaces required under Table 3B.1 Car Parking Standards must be provided onsite.


**Change of Use or Additional Development**

e. Where a change of use occurs requiring a higher number of car parks or where the floor area of an existing building is increased, additional car parking must be provided to achieve the requirements of Table 3B.1 Car Parking Standards.

**Formation and Screening of Car Parking Areas**

f. For all activities except dwellings, car parking and manoeuvring spaces in the Outer Business, Residential, and Village zones required by Table 3B.1 Car Parking Standards must be formed, surfaced in seal or concrete and marked out to the Council’s standard.

g. For all activities in the Rural and Industrial zones, except dwellings, car parking and manoeuvring spaces required by Table 3B.1 Car Parking Standards must be formed, surfaced in seal, concrete or permeable surfacing and marked out to the Council’s standard.

h. Car parking areas adjoining sites zoned Residential must be screened from the Residential Zone by a solid screen wall or fence at least 2m high.

i. Car parking in the Recreation Zone must not be located within 3m of the front boundary of the site, or within 4.5m of any property zoned Residential or Village.

**Table 3B.1 - Car Parking Standards**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Car parking Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assisted living accommodation</td>
<td>1 carpark for every two staff members plus 1 carpark for every three people accommodated.</td>
</tr>
<tr>
<td>Catteries and Boarding Kennels</td>
<td>No less than four car-parking spaces.</td>
</tr>
<tr>
<td>Commercial Services</td>
<td>Medical practitioners – 1 carpark per staff member and 2 patient carparks per practitioner.</td>
</tr>
</tbody>
</table>
### Hospitals
- 0.7 car parks per bed

### Offices and other commercial services
- 1 car park per 40m² gross floor area.

<table>
<thead>
<tr>
<th>Community Facilities</th>
<th>1 car park per 10m² gross floor area.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwelling and Family Flats</td>
<td>2 car parks per dwelling and 1 park per family flat.</td>
</tr>
<tr>
<td>Education Facilities</td>
<td>For Pre-Schools and Day Care Centres – 1 carpark per staff member, plus 1 park per 4 children if there is a requirement for parental supervision.</td>
</tr>
<tr>
<td></td>
<td>For Primary Schools – 0.7 of a carpark per staff member.</td>
</tr>
<tr>
<td></td>
<td>For Secondary Schools – 0.7 of a carpark per staff member plus 1 carpark per 20 students.</td>
</tr>
<tr>
<td></td>
<td>For Tertiary Education Facilities – 1 carpark per 10m² gross floor area.</td>
</tr>
<tr>
<td>Entertainment facilities</td>
<td>1 carpark per 4 seats provided.</td>
</tr>
<tr>
<td>Funeral parlour</td>
<td>Chapels – 1 carpark for every 10 seats provided.</td>
</tr>
<tr>
<td></td>
<td>Other Rooms – 1 carpark per 65 m² gross floor area.</td>
</tr>
<tr>
<td>Home occupations</td>
<td>In addition to parking associated with the dwelling – 1 carpark per staff member. Where retail or services are provided from the home occupation, 2 car parks for visitors.</td>
</tr>
<tr>
<td>Light Industry and Industry</td>
<td>1 car park per 100 m² gross floor area. Where retail or services are provided, 2 car parks for visitors.</td>
</tr>
<tr>
<td>Supermarkets and large format retail activity exceeding 2,000m² gross floor area</td>
<td>1 carpark per 25m² gross floor area.</td>
</tr>
<tr>
<td>Motor vehicle sales and servicing (office space only)</td>
<td>1 carpark per 40 m² gross floor area.</td>
</tr>
<tr>
<td>Retail Activities under 2000m² gross floor area</td>
<td>1 carpark per 40 m² gross floor area.</td>
</tr>
</tbody>
</table>
### Rural and Animal Services
1 carpark per staff member, plus 1 carpark per $50\text{m}^2$ of gross floor area.

### Restaurants
1 carpark per 4 seats.

### Service stations
3 carparks per workshop service bay plus 2 per $100\text{m}^2$ of remaining gross floor area.

### Visitor Accommodation
1 carpark per staff member plus 1 carpark per room accommodation to let.

**Guidance Note:** Where an activity is not specified in Table 3B.1 Car Parking Standards above, then car parking requirements will be assessed against those activities listed that most closely matches the proposed activity.

#### 3B.4.6 Restricted Discretionary Activities

The following activities are Restricted Discretionary Activities in respect to transportation:

a. Any Permitted Activity that does not comply with any of the relevant standards in Rules 3B.4.3, 3B.4.4, and 3B.4.5.

For these activities, the Council has restricted its discretion to considering the following matters:

- the safe, efficient and integrated operation of the transport network
- design and appearance of parking areas
- glare
- access
- visual amenity effects on adjoining residential zoned properties and surrounding streetscape.
- traffic generation, site access and parking
- effects on walking and cycling and other alternative modes such as passenger transport.

In determining whether to grant a resource consent and what conditions to impose, the Council will, in addition to the objectives and policies of the Transport section and the relevant zone, assess any application in terms of the following assessment criteria:
i. the degree of non-compliance with the particular performance standards that the proposal fails to meet.

ii. whether the application remains consistent with the intention of the standard(s) it infringes.

iii. whether the application will result in any adverse effects on amenity values of neighbouring properties or the character of the zone in which the activity is proposed.

iv. whether the application will result in any adverse effects on streetscape character as anticipated under Appendix 3B.2.

v. the degree to which the non-compliance can be mitigated to ensure any effects are internalised to the site.

vi. whether there is a reasonably practicable alternative for legal access to a road other than a Major Arterial Road or Minor Arterial Road.

vii. the degree to which the proposal contains sufficient onsite parking to meet the needs of the activity.

viii. whether alternative transport modes such as walking, cycling and passenger transport have been provided for.

3B.4.7 Discretionary Activities

Any activity not otherwise specified as Permitted or Restricted Discretionary, or is not specifically provided for in this Plan, shall be a Discretionary Activity.
Appendix 3B.1 Roading Hierarchy

**Diagram 1**  Manawatu District Roading Hierarchy
Diagram 2  Feilding Roading Hierarchy
Diagram 3  Manawatu District Roading Hierarchy – Boundary Change Area
Appendix 3B.2 Road Cross Sections

Figure 1
Figure 2
Figure 3

Local Road - All Zones
Typical Cross Section
(Less than 200 WPD)
Appendix 3B.3 Measurement of Sight Distances and Minimum Spacing

Minimum Sight Distances from Vehicle Crossings
Minimum spacing between Intersections and between vehicle crossings
Accessway formation
Appendix 3B.4 Calculation of car equivalent vehicle movements

A  Car equivalent movements are defined as being the following within any given day:

i. one car to and from the site  2 car equivalent movements

ii. one truck to and from the site  6 car equivalent movements

iii. one truck and trailer to and from the site  10 car equivalent movements

iv. a dwelling is deemed to generate 8 car equivalent movements

B  The number of car equivalent movements will be deemed to be less than 30 if they exceed 30 on no more than two days per week, provided that they do not exceed 60 on any given day.

C  The number of car equivalent movements will be deemed to be less than 100 if they exceed 100 on no more than two days per week.
Appendix 3B.5 Traffic Sight Lines at Road/Rail Level Crossings

Approach sight triangles at level crossings with Stop or Give Way signs

On sites adjacent to rail level crossings controlled by Stop or Give Way signs, no building, structure or planting must be located within the shaded areas shown in Figure 1. These are defined by a sight triangle taken 30 metres from the outside rail and 320 metres along the railway truck.

**Figure 1** Approach sight triangles for Level Crossings with “Stop” or “Give Way” signs.

Guidance Note:

The approach sight triangles ensure that clear viability is achieved around rail level crossings with Stop or Give Way signs so that a driver approaching a rail level can either:

- See a train and stop before the crossing; or
- Continue at the approach speed and cross the level crossing safely.

Of particular concern are developments that include shelter belts, tree planting, or a series of building extensions. These provisions apply irrespective of whether any visual obstructions already exist.

No approach sight triangles apply for level crossings fitted with alarms and/or barrier arms. However, care should be taken to avoid developments that have the potential to obscure visibility of these alarm masts. This is particularly important where there is a curve in the road on the approach to the level crossing, or where the property boundary is close to the edge of the road surface and there is the potential for vegetation growth.
Restart sight triangles at level crossings

On sites adjacent to all rail level crossings, no building, structure or planting must be located within the shaded areas shown in Figure 2. These are defined by sight triangle taken 5 metres from the outside rail and distance A along the railway track. Distance A depends on the type of control in Table 1 below.

![Figure 2](image_url)  
*Figure 2*  
*Restart Sight Triangles for all Level Crossings*

**Table 1 Required restart sight distances for Figure 2**

<table>
<thead>
<tr>
<th>Signs only</th>
<th>Alarms only</th>
<th>Alarms and barriers</th>
</tr>
</thead>
<tbody>
<tr>
<td>677m</td>
<td>677m</td>
<td>60m</td>
</tr>
</tbody>
</table>

**Guidance Note:**

The restart sight line triangles ensure that a road vehicle driver stopped at a level crossing can see far enough along the railway to be able to start off, cross and clear the level crossing safely before the arrival of any previously unseen train.

Of particular concern are developments that include shelter belts, tree planting, or series of building extensions. These conditions apply irrespective of whether any visual obstructions already exist.
Guidance Notes:

1. Figures 1 and 2 show a single set of rail tracks only. For each additional set of tracks add 25 m to the along track distance in Figure 1, and 50m to the along track distances in Figure 2.

2. All figures are based on the sight distance formula used in New Zealand Transport Agency Traffic Control Devices Manual 2008, Part 9 Level Crossings. The formulae in this document are performance based however the rule contains fixed parameters to enable easy application of the standard. Approach and restart distances are derived from a:

   - Train speed of 110km/h
   - Vehicle approach speed of 20km/h
   - Fall of 8% on the approach to the level crossing and a rise of 8% at that level crossing
   - 25m design truck length
   - 90° angle between road and rail.
Appendix 3B.6 Parking Central Feilding
Figure 1

Area in Central Feilding where onsite car parking is not required
3C  NOISE

3C.1  Introduction
Noise can create issues and may impact people’s health and their enjoyment of the District. Noise can vary in its source, character, duration and time of occurrence creating a range of adverse environmental effects.

Noise provisions in this section provide certainty to the community around what levels of noise are acceptable when taking account of the noise producer and the receiving environment.

There is a growing trend towards country living. Traditional agriculture and horticulture activities, which are the predominant activities in the District, may be subject to an increasing number of complaints on the day to day activities they undertake.

Residential amenity is especially sensitive to adverse noise effects. Noise provisions have been established to protect residential communities from such adverse effects, especially during night-time hours.

Specific noise limits are covered in Manfeild Park Zone and the Special Development Zone. Those provisions appear in the respective chapters, and are not reproduced below.

3C.2  Resource Management Issues

The following resource management issues have been identified in relation to noise:

1. Noise can result in significant adverse environmental effects on the existing environment.

2. Noise sensitive activities can be adversely affect by noisy uses and activities in the District.

3. Recognising that evening noise levels typically reduce in all zones compared with daytime noise and contribute to local amenity.

4. Noise levels generated by land use activities can vary within a zone and between zones.

3C.3  Objectives and Policies

**Objective 1**
To ensure noise generated from activities is appropriate to the character and level of amenity anticipated in the surrounding environment and human health and safety.

**Policies**
1.1 To ensure noise level standards protect dwellings and other noise sensitive activities from unreasonable noise levels.

1.2 To ensure noise levels within the Inner and Outer Business Zones and the Industrial Zone enable the functioning of these activities without resulting in significant adverse environmental effects on adjacent residential activities.

1.3 To consider appropriate mitigation measures where noise levels exceed the zone or zone interface noise limits.

3C.4 Rules

Rules in this chapter apply District-wide and the chapter needs to be read in conjunction with the District Plan maps, relevant appendices and provisions of the applicable zone.

3C.4.1 Permitted Activities

All activities are permitted provided they comply with the performance standards in Rule 3C.4.2.

3C.4.2 Standards for Permitted Activities

For all zones, the permitted activities specified in Rule 3C.4.1 above must comply with the following standards:

a. Noise levels shall be measured and assessed in accordance with the provisions of NZS 6801:2008 Acoustics – Measurement of environmental sound unless otherwise specified.

b. All activities must comply with the following noise levels for the zone the activity is located in:

Table 3C.1 – Noise levels

<table>
<thead>
<tr>
<th>Zone the activity is located in</th>
<th>Time Period</th>
<th>Potentially affected zone – measured at any point within the boundary of any other site in the zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential/Village – these apply only to home occupations and non-residential activities</td>
<td>7am – 10pm  10pm – 7am  7am – 7pm</td>
<td>45dB $L_{Aeq}$ (15 mins)  35dB $L_{Aeq}$ (15 mins)  55dB $L_{Amax}$</td>
</tr>
<tr>
<td>Recreation</td>
<td>7pm – 10pm  10pm – 7am</td>
<td>55dB $L_{Aeq}$ (15 mins)  50dB $L_{Aeq}$ (15 mins)  40dB $L_{Aeq}$ (15 mins)</td>
</tr>
<tr>
<td>Zone the activity is located in</td>
<td>Time Period</td>
<td>Potentially affected zone – measured at any point within the boundary of any other site in the zone</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>------------</td>
<td>-----------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td></td>
<td>10pm – 7am</td>
<td>Residential/Village: 70dB $L_{\text{Amax}}$</td>
</tr>
<tr>
<td>Rural</td>
<td>7am – 7pm</td>
<td>Inner and Outer Business: 55dB $L_{\text{Aeq (15 mins)}}$</td>
</tr>
<tr>
<td>Zone the activity is located in</td>
<td>Time Period</td>
<td>Potentially affected zone – measured at any point within the boundary of any other site in the zone</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>-------------</td>
<td>-------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td></td>
<td>7pm – 10pm</td>
<td>50dB $L_{Aeq}$ (15 mins)</td>
</tr>
<tr>
<td></td>
<td>10pm – 7am</td>
<td>40dB $L_{Aeq}$ (15 mins)</td>
</tr>
<tr>
<td></td>
<td>10pm – 7am</td>
<td>70dB $L_{Amax}$</td>
</tr>
<tr>
<td>Industrial</td>
<td>7am – 7pm</td>
<td>55dB $L_{Aeq}$ (15 mins)</td>
</tr>
<tr>
<td></td>
<td>7pm – 10pm</td>
<td>50dB $L_{Aeq}$ (15 mins)</td>
</tr>
<tr>
<td></td>
<td>10pm – 7am</td>
<td>45dB $L_{Aeq}$ (15 mins)</td>
</tr>
<tr>
<td></td>
<td>10pm – 7am</td>
<td>75dB $L_{Amax}$</td>
</tr>
<tr>
<td>Inner and Outer Business</td>
<td>7 am – 7pm</td>
<td>55dB $L_{Aeq}$ (15 mins)</td>
</tr>
<tr>
<td></td>
<td>7pm – 10pm</td>
<td>50dB $L_{Aeq}$ (15 mins)</td>
</tr>
<tr>
<td></td>
<td>10pm – 7am</td>
<td>45dB $L_{Aeq}$ (15 mins)</td>
</tr>
<tr>
<td></td>
<td>10pm – 7am</td>
<td>75dB $L_{Amax}$</td>
</tr>
<tr>
<td></td>
<td>At any time</td>
<td></td>
</tr>
<tr>
<td></td>
<td>10pm – 7am</td>
<td></td>
</tr>
</tbody>
</table>

**Guidance Note:** The noise provisions for Manfeild Park Zone and the Special Development Zone are contained in the specific zone chapters.

c. Sounds generated by construction, maintenance and demolition activities will be assessed, predicted, measured, managed and controlled by reference to NZS6803:1999 Acoustics – Construction Noise.

d. Noise from the following activities are not controlled by Rule 3C.4.1.b in this Plan:

i. Aircraft being operated during or immediately before or after flight.

ii. Vehicles being driven on a road, excluding the use of airbrakes on trucks.

iii. Trains other than when being tested (when stationary), maintained, loaded or unloaded.

iv. Rural production activities, except for intensive farming.

v. Crowd noise at any area zoned recreation.

vi. Emergency Services Sirens.

**Guidance Notes:**
1. Sound from commercial renewable energy generation will be assessed, predicted, measured and controlled by reference to the NZS6808:1998 Acoustics – The Assessment and Measurement of Sound from Wind Turbine Generators.

2. Noise from Helicopters using separate helicopter landing areas that are not part of an airport will be assessed according to NZS 6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas.

3. Noise associated with aircraft operations will be assessed by NZS 6805:1992 Airport Noise Management and Land Use Planning.

4. Unreasonable or excessive noise can be controlled by reference to the specific provisions of the Resource Management Act (1991), specifically sections 16 and 327.

3C.4.3 Discretionary Activities
Any activity that does not meet the noise standards for a Permitted Activity specified in Rule 3C.4.2, or is not specifically provided for in this plan, shall be a Discretionary Activity.
3D  EARTHWORKS

3D.1  Introduction

Earthworks are often carried out in conjunction with subdivision and development including through construction of a structure or building, the establishment of a site access and when completing landscaping. Earthworks are also undertaken in the rural environment in conjunction with rural production activities.

Without appropriate management, earthworks have the potential to affect land stability and cause erosion. Rehabilitation and design have an important role in the mitigation of potential adverse effects such as land stability and visual amenity.

Earthworks can also affect archaeological sites and care should be taken to ensure those sites are protected and not destroyed.

3D.2  Resource Management Issues

The following resource management issues have been identified in relation to earthworks:

1. Potential adverse effects resulting from earthworks do not detract from the amenity values of the District.
2. Earthworks can result in or increase the risk of land instability.
3. Earthworks can result in adverse effects on features or areas of cultural, historical or landscape significance.
4. Earthworks can result in adverse effects on the values that cause a natural feature or landscape to be outstanding.
5. Increased risk of natural hazards when overland flow paths or stormwater drains/swales are changed through earthworks.

3D.3  Objectives and Policies

Objective 1

To ensure earthworks do not result in adverse effects on the visual amenity, landscape, heritage or cultural values of the area.

Policies
1.1  To mitigate any visual amenity effects arising from earthworks.
1.2 To restrict earthworks within sites identified in this Plan as containing significant heritage values, particularly those identified in Appendix 1A (Wetlands, Lakes, Rivers and their Margins), 1B (Significant Areas of Indigenous Forest/Vegetation (excluding Reserves), 1D (Trees with Heritage Value) and 1F (Sites with Heritage Value).

1.3 To restrict earthworks in Outstanding Natural Features or Landscapes, except where earthworks are necessary to eliminate risk to human health and safety.

1.4 To avoid, remedy or mitigate the effects of earthworks which could disturb or destroy the intrinsic cultural and natural heritage values associated with an identified site or object.

Objective 2

To ensure that earthworks are designed and undertaken in a manner to minimise the risk of land instability and visual amenity effects.

Policies

2.1 To ensure the scale of earthworks are appropriate for the site they are located on to avoid visual amenity effects on or beyond the site.

2.2 To manage the scale of earthworks on sites susceptible to erosion and land instability.

2.3 To require rehabilitation measures be undertaken to avoid accelerated erosion following earthworks.

2.4 To ensure all adverse effects from earthworks including dust and sediment run-off are managed onsite.

2.5 To ensure that earthworks do not affect the functioning known overland flow paths.

Objective 3

To protect the operation of the National Grid and infrastructure of regional and national importance by avoiding earthworks that could undermine their integrity and functioning.

Policies

3.1 To control earthworks within the National Grid Yard to ensure the continued safe and efficient operation, maintenance and upgrading of the National Grid.

3.2 To control earthworks near infrastructure of regional and national importance to ensure their safe and efficient operation, maintenance and upgrading.
3D.4 **Rules**

Rules in this chapter apply District-wide and the chapter needs to be read in conjunction with the District Plan maps, relevant appendices and provisions of the applicable zone.

3D.4.1 **Permitted Activities**

The following are Permitted Activities in all zones, except the Rural and Flood Channel zones provided that they comply with the standards in Rule 3D.4.2 below.

a. Earthworks, other than in an Outstanding Natural Feature or Landscape.

b. Earthworks within the National Grid Yard undertaken:
   
   i. by a network utility operator within a transport corridor as part of a transmission activity or for electricity infrastructure, or
   
   ii. as part of agricultural or domestic cultivation, or
   
   iii. repair, sealing or resealing of a road, footpath driveway or farm track, or
   
   iv. any vertical holes not exceeding 500mm in diameter provided they are:

      a. more than 1.5m from the outer edge of a pole support structure or stay wire; or

      b. a post hole for a farm fence or horticulture structure and more than 5m from the visible edge of a tower support structure foundation.

**Guidance Notes:**

1. Earthworks are also regulated by the Manawatu-Wanganui Regional Council and a resource consent maybe required under the rules of the One Plan.

2. Earthworks near or within areas of cultural and natural heritage values may also require an Archaeological Authority under the Heritage New Zealand Pouhere Taonga Act (2014).

3D.4.2 **Standards for Permitted Activities**

The Permitted Activities specified above must comply with the following standards:

a. Any sediment run-off from earthworks must be contained within the subject site.

b. All dust and sedimentation control measures must be installed prior to earthworks commencing.
c. Earthworks must not be undertaken closer than 20m of the banks of the Oroua River or Kiwitea Stream.
d. Earthworks must not be undertaken closer than 10m of the banks of the Makino Stream.
e. Earthworks must not be undertaken within any area identified in Appendix 1A (Wetlands, Lakes, Rivers and their Margins), 1B (Significant Areas of Indigenous Forest/Vegetation (excluding Reserves), 1D (Trees with Heritage Value) and 1F (Sites with Heritage Value).
f. Earthworks undertaken in the National Grid Yard do not
   i. Exceed a depth (measured vertically) of 300mm within a distance measured 12m from the outer visible edge of any National Grid Tower, and
   ii. Create an unstable batter that will affect a transmission support structure, and
   iii. Result in a reduction in the ground to conductor clearance distances below what is required by Table 4 of NZECP34:2001.

Guidance Note: The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) contains restrictions on the location of structures and activities in relation to all electricity lines. Compliance with the Code of Practice is mandatory. Compliance with the permitted activity standards of the Plan does not ensure compliance with the Code of Practice.
g. No earthworks, buildings or structures can be undertaken or erected within 20m of a natural gas transmission pipeline.
h. Earthworks must comply with the standards specified in Table 3D.1 Earthwork Volumes.
i. Earthworks must not block any stormwater or overland flow paths.
### Table 3D.1 Earthwork Volumes

<table>
<thead>
<tr>
<th>Zone</th>
<th>Minimum setback from site boundary</th>
<th>Maximum area per site exposed at any one time</th>
<th>Maximum permitted volume per site in any 12 month period</th>
<th>Maximum change to existing ground level</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential, Village &amp; Inner Business Zones</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Outer Business &amp; Industrial Zones</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Manfeild Park &amp; Special Development Zones</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Recreation Zone</td>
<td>✓</td>
<td></td>
<td>✓</td>
<td>✓</td>
</tr>
</tbody>
</table>

**Guidance Notes:**

1. The restrictions above do not apply to land based quarrying activities which are managed in the Rural Zone of this Plan.

2. Earthworks are also regulated by the Manawatu-Wanganui Regional Council and a resource consent may be required under the rules of the One Plan. The One Plan requires Erosion and Sediment Control measures to comply with the Greater Wellington Regional Council’s Erosion and Sediment Control Guidelines dated September 2002.

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

4. Where earthworks are to be undertaken within 20m of any electricity line, the owners of the electrical network should be advised of the intention to carry out the works not less than 5 working days prior to their commencement.

5. Earthworks near or within areas of cultural and natural heritage values may also require an Archaeological Authority under the Heritage New Zealand Pouhere Taonga Act (2014).
3D.4.3 Restricted Discretionary Activities
The following activities are Restricted Discretionary Activities:

a. Any earthworks undertaken in the National Grid Yard that do not comply with the standards for permitted activities under Rule 3D.4.2 above.

For this activity, the Council has restricted its discretion to considering the following matters:

- Any effects on the operation of the National Grid
- Volume, area and location of the works, including temporary activities such as stockpiles
- Hours of operation and time of year the proposed works will occur
- Site remediation
- The use of mobile machinery within the National Grid Yard
- Demonstrated compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001).

3D.4.4 Discretionary Activities
Any earthworks that do not meet the Permitted Activity standards, or is not specifically provided for in this Plan, shall be a Discretionary Activity.

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

3D.4.5 Non-Complying Activities
Any earthworks within an Outstanding Natural Feature or Landscape identified in Appendix 1C, except within an existing road carriageway, is a Non-Complying Activity.
3E  SIGNS

3E.1  Introduction

Signs are an important part of commercial and promotional activities. The role of a sign is predominantly to promote or draw attention to an activity or an event. Signs are often auxiliary to another activity, however can still generate adverse effects on the environment. These effects can be attributed to mostly visual amenity, but can also adversely affect the efficient operation of the transport network.

It is critical to ensure all signs are managed appropriately to avoid, mitigate and remedy potential adverse effects on the environment.

3E.2  Resource Management Issues

The following resource management issues have been identified in relation to signs:

1. The need to ensure that signs do not detract from the existing amenity of the District.
2. The need to ensure signage does not create visual obstructions or pose safety concerns for road users and pedestrians.
3. The occurrence of advertising signs that do not relate to the activity on the site the sign is located on, causing visual clutter and loss of amenity for the surrounding environment.

3E.3  Objectives and policies

Objective 1

To ensure the erection of any sign does not result in adverse effects on the visual amenity values of the environment.

Policies

1.1  To maintain the low frequency of signage existing in the District by restricting the number, size and type of signs erected to ensure visual amenity is maintained.

1.2  To restrict the illumination of signs to ensure adverse amenity effects from glare, light spill or distractions to road users and the surrounding environment are avoided.

1.3  To distinguish between permanent and temporary signs and provide for them separately given the difference in their duration.

1.4  To manage the location, appearance and frequency of temporary signs to ensure they are of limited duration.
1.5 To manage the cumulative effect of a proliferation of advertising signs on rural amenity.

1.6 To ensure signage is in keeping with the character of the area or building where it is located.

1.7 To ensure the erection of advertising signs is only on the site where the activity is occurring.

**Objective 2**
To ensure signs do not detract from the safety of road users and pedestrians.

**Policies**

2.1 To ensure that only official signs and information signs are located within the road reserve.

2.2 To restrict the number, size and type of signs erected to ensure safety of road users and pedestrians.

2.3 To avoid the use of trivision or flashing signs where this could lead to road user distraction.

2.4 To avoid distraction to road users from the occurrence of signs not relating to an activity undertaken on the site.

### 3E.4 Rules

Rules in this chapter apply District-wide and the chapter needs to be read in conjunction with the District Plan maps, relevant appendices and provisions of the applicable zone.

**3E.4.1 Permitted Activities**
The following are a Permitted Activity provided that they comply with the standards in Rule 3E.4.2 below:

a. Signs and official signs

b. Temporary signs

**3E.4.2 Standards for Permitted Activities**

a. Signs located within the road reserve must comply with the following standards:

   i. One information sign and one official “welcome to” sign erected at each entrance to a township.
ii. No sign may result in visual obstruction or cause confusion for road users, pedestrians or cyclists.

iii. The maximum sign face area of an information sign or official “welcome to” sign must not exceed 3m². Where a sign is double sided, it may have 3m² on each sign face area.

iv. One sign placed on the footpath per business premise in the Inner and Outer Business Zones. These signs must:
   a. not exceed 0.8m² in size, and
   b. relate to a product, service or event offered within the premises and must only be placed adjacent to the kerbline outside the premises that they relate to.

Guidance Note: Signs on roads will also need approval from the New Zealand Transport Agency or the Council’s Roading Team.

b. Except as provided for in Rule 3E.4.2.a and Rule 3E.4.2.c, all signs must comply with the following standards:

i. One sign may be displayed per site. This includes any sign that is freestanding, or is written on or affixed to a building.

ii. Signs must relate to the predominant activity on a site, or be associated with an activity otherwise permitted by this Plan or Resource Consent has been granted.

iii. A sign may be LED, backlit or spot lit but must not be flashing, animated, trivision, or contain revolving lights or lasers.

iv. Any sign that is LED, backlit or spot lit must not result in light spill into any adjoining property zoned Residential.

v. No sign may be painted or located on a building roof.

vi. Signs must not obstruct the clarity of official signs.

vii. Signs must not create an obstruction or cause safety concerns for road users.

viii. Signs must also comply with any permitted activity conditions of the zone in which it is located in.

ix. The maximum sign face area of any sign must not exceed 0.6m², except that signs within the Inner and Outer Business Zones and Industrial Zone must not exceed a maximum sign face area of 3m².
Guidance Note: The Inner and Outer Business Zones, Manfeild Park Zone and the Special Development Zone have additional signage provisions contained in the relevant zone chapters.

c. All Temporary Signs must comply with the following standards:

i. The maximum sign face area of any sign must not exceed 1.5m², except for electioneering signs which must not exceed a maximum sign face area of 3m².

ii. The erection of a temporary sign must not be for more than two months in any 12 month period.

iii. Signs must not create an obstruction or cause safety concerns for road users.

iv. Signs must not be located on Council property or within the legal road reserve.

v. A sign may be LED, backlit or spot lit but must not be flashing, animated, trivision, or contain revolving lights or lasers.

vi. Any sign that is LED, backlit or spot lit must not result in light spill into any adjoining property.

vii. Signs must not obstruct official signs.

viii. Signs for electioneering are only permitted in the two month period prior to the election, and must be removed before the day of the election.

ix. Signs for sporting events, public meetings, galas, market days, and other recreational and festive events must only be permitted in the two month period prior to the event, and must be removed no later than one week after the conclusion of the activity.

x. All signs must be removed from the site no later than one week after the completion of the activity or event the sign was promoting.

xi. Only one sign advertising the sale, rent or auction of a property must be located on the property to which they relate and must be removed no later than one month after settlement.

3E.4.3 Discretionary Activities

Any sign that does not meet the Permitted Activity standards, or is not specifically provided for in this Plan, shall be a Discretionary Activity.
3F TEMPORARY ACTIVITIES

3F.1 Introduction
Temporary activities vary in their nature and scale; they are usually of short duration, intermittent and can involve activities outside of normal working hours. Temporary activities are necessary to meet a range of social, cultural and economic needs within the community and are provided for where any resulting adverse effects can be appropriately managed.

3F.2 Resource Management Issues
The following resource management issue has been identified for temporary activities:

1. The need to recognise the short term nature of effects that are associated with temporary activities.

2. To recognise the role of temporary activities in promoting the social and cultural wellbeing of the communities of the Manawatu.

3F.3 Objectives and Policies

Objective 1
To provide for a wide range of temporary activities within the District while ensuring any adverse effects are managed.

Policies
1.1 To restrict the scale, intensity, location, duration and frequency of temporary activities to manage any adverse effects on the surrounding environment.

1.2 To ensure temporary activities do not result in adverse amenity effects on noise sensitive activities.

3F.4 Rules
Rules in this chapter apply District-wide and the chapter needs to be read in conjunction with the District Plan maps, relevant appendices and provisions of the applicable zone.
**3F.4.1 Permitted Activities**
Temporary activities are a Permitted Activity provided they comply with the performance standards in Rule 3F.4.2.

**3F.4.2 Standards for Permitted Activities**
Temporary activities must comply with the following standards:

a. For sporting events, public meetings, galas, market days, and other recreational and festive events:
   i. Hours of operation occur between 7am – 10pm, and
   ii. Duration not exceeding 3 consecutive days, and
   iii. No more than 4 events of a similar nature on the same site, in any 12 month period, and
   iv. Temporary buildings and structures must be readily moveable, meet all yard setback requirements of this Plan and must be removed from the site upon the completion of the temporary activity.

b. Temporary buildings and structures must:
   i. be readily moveable;
   ii. meet all yard setback requirements of this Plan;
   iii. be removed from the site within 6 months of the commencement of the activity;
   iv. not occupy a site for more than one 6 month period in any 12 months.

**Guidance Note:** Consideration must also be given to the requirements of the Building Act (2004) and the Building Code for temporary buildings and structures.

c. The temporary storage of materials and goods must not exceed a period of more than 6 calendar months.

d. The demolition of buildings, excluding those buildings identified in Chapter 4 – Historic Heritage, provided the materials and debris from the demolition are removed from the site no later than one month after the completion of the demolition.

e. Noise associated with temporary activities must comply with the noise provisions relating to the zone it is located in.

f. All temporary activities, including buildings and structures, shall be located outside of the National Grid Yard.
3F.4.3 **Discretionary Activities**

Any temporary activity that does not meet the Permitted Activity standards, or is not specifically provided for in this Plan, shall be a Discretionary Activity.
3G RELOCATED BUILDINGS

3G.1 Introduction

Relocating buildings provides for the sustainable and economic reuse of buildings that are no longer required in their current location. Buildings may have been previously used, or purpose built for relocation. The age and condition of previously used buildings that are commonly relocated within the Manawatu District often means that remedial and upgrading works are required to be undertaken. These works ensure that the building does not result in adverse visual effects on the surrounding environment. It is therefore important that relocated buildings are managed to ensure amenity values are maintained.

The relocation of significant historic built heritage is a separate matter not addressed through this chapter. Consideration of these buildings is required under the provisions of Chapter 4 – Historic Heritage.

3G.2 Resource Management Issues

The following resource management issues have been identified:

1. The need to recognise the sustainable use and economic benefits associated with the reuse of buildings by relocating them to a new site.
2. The need to manage the adverse visual effects that can occur from relocating buildings to a new site.
3. New buildings that are small scale and purpose built to be relocated are less likely to result in adverse visual effects on the environment.

3G.3 Objectives and policies

**Objective 1**

To enable the relocation and establishment of relocated buildings only where remedial works will ensure the building maintains the visual amenity values of the surrounding area.

**Policies**

1.1 To ensure any remedial and upgrading works undertaken are completed in a timely and efficient manner.

1.2 To ensure any remedial and upgrading works will result in a relocated building achieving a level of visual amenity the same or better than the surrounding area.

1.3 To encourage relocated buildings that are of an age, character and condition that requires minimal remedial work.
3G.4 Rules
Rules in this chapter apply District-wide and the chapter needs to be read in conjunction with the District Plan maps, relevant appendices and provisions of the applicable zone.

3G.4.1 Controlled Activities
Any relocated building is a Controlled Activity in any zone provided they comply with the following standards:

a. All applications for a relocated building must provide a building pre-inspection report prepared by a suitably qualified and experienced person, acceptable to the Council. That report must include:
   i. All remedial and upgrading works that are to be completed to the exterior of the building following relocation to the destination site;
   ii. The timeframes for completing all remedial or upgrading works after the installation of the building on its destination site;
   iii. An itemised estimate of the value of the works to the exterior of the building that are outlined in 3G.4.3 a. i. above;
   iv. Photographs of the building to be relocated including each elevation and the roof clearly showing any areas where remedial and upgrading works are required.
   v. Photographs of the wider receiving environment and site where the relocated building will be located.

b. Relocated buildings for future residential use must have been previously used as a dwelling.

c. The relocated building is not located in the Flood Channel Zone.

d. Compliance with all standards specified for permitted activities in the relevant zone and other parts of this Plan.

For this activity, Council has reserved its control over, and may impose conditions on a resource consent when considering, the following matters:

- Requirements for remedial works and upgrading the exterior of the building to ensure visual amenity of the surrounding area is maintained.
- The time allowed for remedial works and upgrading to be completed once the relocated building is located on its destination site.
3G.4.1 A bond, of the nature provided for in the Resource Management Act (1991), further secured by deposits of cash with the District Council, to ensure compliance with consent conditions. The bond must be paid prior to the movement of the building to its new site, and shall be to the value of any remedial or upgrading work as identified in 3G.4.1(a), as assessed by a suitably qualified and experienced person.

- The immediate installation of the relocated building onto permanent foundations upon delivery to the destination site.
- The suitability of the relocated building for the intended reuse.
- How the age and character of the building is consistent with the level of amenity in the surrounding environment.
- How the standards for permitted activities in the relevant zone and other parts of this Plan have been met.

3G.4.2 Non-Notification of Controlled Activities

Under section 77D of the Resource Management Act (1991), an activity requiring resource consent under Rule 3G.4.3 will not be publicly notified, except where:

- The applicant requests public notification (in accordance with Section 95A(2)(b)), or
- The Council decides special circumstances exist (in accordance with Section 95A(4)).

3G.4.3 Restricted Discretionary Activities

The following activities are a Restricted Discretionary Activity, in all zones, in respect to relocated buildings:

- Any relocated building that does not meet the Controlled Activity standards or does not comply with the relevant Permitted Activity standards in all other parts of the District Plan.

For this activity, Council has restricted its discretion to considering the following matters:

- Scale of built form and location on site
- Exterior remedial and upgrading works
- Time for remedial and upgrading works to be completed
- The extent of non-compliance with the standard(s) in the Plan
- Provision of a bond to ensure remedial and upgrading works are completed.
In determining whether to grant a resource consent and what conditions to impose, the Council will, in addition to the objectives and policies of the Relocated Buildings section and the relevant Zone, assess any application in terms of the following assessment criteria:

i. Whether the application remains consistent with the intention of the standard(s) it infringes.

ii. The extent to which there will be adverse effects where an application does not meet the standards.

iii. Whether the application will result in adverse effects on the character and visual amenity values of the immediate surroundings or wider streetscape.

iv. The need for remedial works and upgrading to ensure visual amenity of the surrounding area are maintained.

v. The proposed time for remedial works and upgrading to be completed once the relocated building is located on its destination site.

vi. Whether the bond proposed to be lodged with Council is of sufficient value to cover the cost of completing the required remedial and upgrading works.

3G.4.4 Discretionary Activities

Any relocated building not provided for as a Controlled or Restricted Discretionary Activity or is located in the Flood Channel Zone is a Discretionary Activity.
Appendix 2 – Amendments to Chapter 2 - Definitions
The changes to the Definitions section are outlined below. All proposed new text is shown as underlined and all text proposed to be deleted is indicated with strikethrough.

2 DEFINITIONS

<table>
<thead>
<tr>
<th>ARTERIAL ROAD</th>
<th>means any national arterial road, regional road or district arterial road shown in Appendix 2B</th>
</tr>
</thead>
<tbody>
<tr>
<td>COLLECTOR ROAD</td>
<td>means roads that provide circulation in local areas and links to arterial roads, while balancing these needs with pedestrian and local amenity values. These roads provide access for all modes of transport including public transport. Typical traffic flows are between 3,000 and 10,000 vehicles per day. These include a number of central roads through the town of Feilding, Pohangina Road, Newbury Line and the main roads to the beaches and tourist routes like the Apiti-Rangiwhaia route. Refer to Appendix 3B.1 for those roads that are identified in the District as being a Collector Road.</td>
</tr>
<tr>
<td>COLLECTOR ROAD (TOURIST)</td>
<td>means those roads that currently carry traffic volumes below that of a Collector Road, but serve a similar function in that they link areas of population together. Refer to Appendix 3B.1 for those roads that are identified in the District as being a Collector Road (Tourist).</td>
</tr>
<tr>
<td>EARTHWORKS</td>
<td>means the removal, deposit or relocation of soil that results in alteration between to the existing and finished ground level. This includes but is not limited to, soil movement associated with subdivision and site works as defined in the Building Act 2004. For the purposes of this Plan, earthworks excludes the following:</td>
</tr>
<tr>
<td></td>
<td>• work associated with the upgrade or maintenance of farm tracks</td>
</tr>
<tr>
<td></td>
<td>• fences and fence lines</td>
</tr>
<tr>
<td></td>
<td>• trenching and backfilling ancillary to the installation of network utilities and services</td>
</tr>
<tr>
<td></td>
<td>• the minor upgrading or maintenance of the roading network utilities</td>
</tr>
<tr>
<td></td>
<td>• cultivation</td>
</tr>
<tr>
<td></td>
<td>• aggregate extraction</td>
</tr>
<tr>
<td></td>
<td>includes the construction and maintenance of driveways, building platforms, loading areas, tracks, drainage works and dams. NB Earthworks near roads are subject to the Local Government Act 1974, refer Page 76.</td>
</tr>
<tr>
<td>HEIGHT</td>
<td>in relation to any building, means the vertical distance between the ground level at any point and the highest part of the building immediately above that point.</td>
</tr>
</tbody>
</table>

Height measurements specifically exclude:
**Chapter 2 – Definitions**

**INFORMATION SIGN** means a sign providing directory information to the public about the Manawatu District or any area.

a. antennas  
b. chimneys  
c. flagpoles  
d. lightning rods
**INFRASTRUCURE OF REGIONAL AND NATIONAL IMPORTANCE**

**LOCAL ROADS**

means roads that provide access and connectivity within a local area. Local roads in urban areas typically carry up to 3,000 vehicles per day, have low vehicle speeds, have two lanes and provide for on-street parking, property access and pedestrian needs. Local roads in rural areas typically carry less than 1,000 vehicles per day.

**MAJOR ARTERIAL ROAD**

means roads of strategic importance to the Region. They provide interconnections between areas within the District and distribute traffic from major intercity links. Access is generally at grade but may be limited. Urban traffic volumes are typically greater than 20,000 vehicles per day and rural 5,000 vehicles per day with a significant number of heavy vehicles. Typical urban operating speeds are 50 to 70km/h and rural 80 to 100km/h. Major Arterial Routes are State Highways 54, 56, Milson Line, Saddle Road, Halcombe Road and Camerons Line. Refer to Appendix 3B.1 for those roads that are identified in the District as being a Major Arterial Road.

**MINOR ARTERIAL ROAD**

means roads that provide access between Collector and Major Arterial Roads. These roads have a dominant through vehicular movement and carry the major public transport routes. Access to property may be restricted and rear servicing facilities may be required. Urban traffic volumes are typically 8,000 to 20,000 vehicles per day and rural from 1,000 to 5,000 vehicles per day with a higher proportion of heavy vehicles. Typical urban operating speeds are 40 to 60 km/h and rural 80 to 100 km/h. Minor arterial roads include Rongotea-Longburn Road to the north of Kairanga-Bunnythorpe Road, Green Road, and the Cheltenham-Mangaweka routes. Refer to Appendix 3B.1 for those roads that are identified in the District as being a Minor Arterial Road.

**MINOR UPGRADING**

in relation to network utilities means increasing the carrying capacity or efficiency of an existing utility while the effects of that utility remain the same or similar in character, intensity and scale. Minor upgrading shall not include an increase in the voltage of an electricity line unless the line was originally constructed to operate at the higher voltage but has been operating at a reduced voltage. Examples of minor upgrading may include:

- Adding circuits and conductors to electricity and telecommunication lines.
- Reconductoring lines with higher capacity conductors.
- Resagging conductors.
- Bonding of conductors.
- Adding longer or more efficient insulators.
f. Adding earthwires to electricity lines, which may contain telecommunication lines, earthpeaks and lightning rods.

g. Adding electrical fittings.

h. Replacement of cross arms with cross arms of an alternative design.
NATIONAL GRID CORRIDOR

means the area measured either side of the centreline of above ground National Grid lines (see definition of National Grid Yard) as follows:

a. 14m for 110kV lines on single poles
b. 32m for 110kV lines on towers
c. 37m for 220kV lines on towers.

Note the National Grid Corridor and Yard setbacks do not apply to underground cables or any transmission lines (or sections of lines) that are designated.

NATIONAL GRID YARD

Means:

a. The area located 12m in any direction from the outer edge of a National Grid support structure; and
b. The area located 10m either side of the centreline of an overhead 110kV National Grid line on single poles; or
c. The area located 12m either side of the centreline of any overhead National Grid line on towers.

within Growth Precinct 1 (Appendix 9A) the area located 12 metres in any direction from the outer visible edge of a National Grid support structure foundation; and the area located 12 metres either side of the centreline of any overhead National Grid line on towers. [PC45]

NETWORK UTILITY

means an activity or operation of a network utility operator (as defined under section 166 of the Resource Management Act) and includes those facilities which provide an essential service to the public including:

a. telecommunications,
b. radiocommunications,
c. **transformation, transmission or distribution of electricity**
d. **distribution or transmission of pipeline of gas or petroleum and gas transmission and distribution.**
e. **water supply (including treatment),**
f. **sewerage reticulation,**
g. **sewage treatment and disposal,**
h. **drainage and stormwater control or irrigation systems,**
i. **roads,**
j. railway,
k. fire stations
l. airports
m. navigational aids and
n. meteorological facilities.

OFFICIAL SIGN means any regulatory traffic and official signs approved by Council a road controlling authority or provided under any legislation and which are erected on a road.

RADIOCOMMUNICATION, TELECOMMUNICATION AND ANCILLARY PURPOSES AND LAND USES includes installing, operating, maintaining, removing and replacing radiocommunication or telecommunication facilities and carrying out ancillary land uses.

RELOCATED BUILDING means any second hand building which is transported in whole or in parts and relocated from its original site to its final destination site, but excludes a pre-fabricated building which is delivered dismantled to a site for erection on that site.

SENSITIVE ACTIVITIES has the same meaning as Noise Sensitive Activity defined earlier in this chapter.

means those activities that are particularly sensitive to the National Grid high voltage transmission lines. Such activities include residential accommodation, educational facilities (excluding tertiary facilities), early childcare facilities, hospitals and homes for the aged. [PC45]

SIGN means any advertising matter used to give information on a product, service, event or location. It includes the frame, supporting device and any associated ancillary equipment where the principal function is to support the advertising matter. Any advertising material located within shop window displays in the Inner and Outer Business Zones and the Special Development Zone are excluded.

SIGN FACE AREA means the measurement of the area covered by advertising matter and does not include the area of the supporting device.

TEMPORARY ACTIVITIES means any short term activity that does not occur more than four times a year on the same site and any buildings and structures associated with that activity and includes, but is not limited to:

- Sporting events, public meetings, galas, market days, and recreational and festive events
Chapter 2 – Definitions

TEMPORARY SIGN

- Temporary buildings and structures
- Any temporary storage of goods or materials
- Demolition and removal of buildings.

TEMPORARY SIGN means any sign that is of a temporary nature advertising any forthcoming activity. It includes, without limitation:

- Any parliamentary or local authority election signs
• Construction or development signage on any building or demolition site
• Exhibition or event signage
• Real estate signs advertising the sale, rent or auction of land or premises.

Temporary signs do not include a permanent structure whereby the advertising matter is altered regularly.

UNDERGROUND—PIES, CABLES AND LINES

includes pipes, cables and lines (including any wire, cable and associated equipment used or placed in position for the conveyance of electricity) which are above ground but fixed to permitted structures such as bridges.

UTILITIES

means any activity relating to:

a. Lighthouses, navigational aids and beacons.

b. Roads and railways, and incidental equipment.

c. Generation, transformation, transmission, or distribution of electricity.

d. Distribution or transmission by pipeline of gas, petroleum or steam.

e. Water or sewerage reticulation, or treatment.

f. Land drainage, stormwater control or irrigation works.

g. Construction, operation and maintenance of an airport as defined by the Airport Authorities Act including the provision of any approach control services.

h. Radiocommunication and/or telecommunication equipment and lines.

i. Recycling depots, refuse transfer stations and refuse disposal facilities.

j. Meteorological instruments and facilities.

k. Soil conservation and river control works.

l. Fire Stations.

URBAN AREA

means any land zoned Residential, Village, Inner or Outer Business, Industrial, Recreation, Manfeild Park or Special Development.
Appendix 3 – District Plan Consequential Changes
District Plan Consequential Changes

1. Delete Section 2.2(5)(b) and replace with [Deleted PC55] as follows:
   b) [Deleted PC55] Adverse impacts upon traffic safety and efficiency. Neighbours may also be affected through parking demand and by vehicles “coming and going” if the area is otherwise quiet.

2. Delete Section 2.2(5)(c) and replace with [Deleted PC55] as follows:
   c) [Deleted PC55] Excessive levels of noise, or certain types of sounds, which have an adverse effect upon people’s

3. Delete Section 2.2(5)(j) and replace with [Deleted PC55] as follows:
   j) [Deleted PC55] Glare from, for example, outdoor lighting and reflective surfaces, which can annoy people and distract motorists.

4. Delete Section 2.2(5)(p) and replace with [Deleted PC55] as follows:
   p) [Deleted PC55] Possible effects on health from electromagnetic and other forms of radiation.

5. Delete Section 4.2 Policy d) and replace with [Deleted PC55]
   d) [Deleted PC55] To recognise that certain land uses, including temporary signs, generally have a minor effect on the environment due to their limited duration.

6. Delete Section 4.2 Explanation paragraph 6 as follows:
   The Plan needs to provide for temporary land uses which only have minor effects, as permitted activities (Policy d)). Examples are gala days, construction works and temporary military training exercises. Their impact may be quite large on the days when they are happening, but requiring them to obtain land use consent would be out of proportion to their overall longer term impact. It is important to specify maximum durations for such activities, beyond which they require consent. Other standards are also applied to limit the impact of temporary activities. (Refer Rule A2 2.2, Page 97).

7. Amend the policy reference in Section 4.3.2 Policy d), as follows:
   d) To enhance the rural environment by using selected spare areas of road reserve for tree planting, provided that the adverse effects referred to in 38.3 Policy 1.1(e) Policy 4.3.4.4) are avoided.

8. Delete Section 4.3.2 Policy f):
   f) To avoid the cumulative effect which a proliferation of advertising signs would have upon the amenities of rural areas.
9. **Delete Section 4.3.2 Explanation paragraph 9, as follows:**

This Plan does not generally control the colour or exterior appearance of buildings, because such matters are too subjective. What one person regards as appalling others may think is acceptable or even attractive. An exception is relocated buildings. The Plan needs to manage the visual effects of the initial period after relocation and to prevent the type of eyesore which results from a relocated building being left unfinished for years. A monetary bond is a proven way of ensuring that such work is finished.

10. **Delete Section 4.3.2 Explanation paragraph 11, as follows:**

Signs are necessary for informing people, for helping them to navigate, and to assist them to find specific properties and businesses. A proliferation of signs can however result in visual “clutter”, which detracts from the amenities of the area. They can also have an adverse effect on traffic safety. (Refer Policy 4.13 a), Page 40).

11. **Delete Section 4.3.4 Policy h) and replace with [Deleted PC55], as follows:**

h) [Deleted PC55] To ensure that the adverse effects of tree planting near property and road boundaries are avoided or mitigated where necessary. This particularly involves trees overshadowing neighbouring properties or blocking visibility for traffic at intersections.

12. **Delete Section 4.4 Policy b) and replace with [Deleted PC55], as follows:**

b) [Deleted PC55] To strictly limit the number, size and type of signs displayed in the zone and to ensure that they are safe.

13. **Delete Section 4.4 Explanation paragraphs 3 & 4, as follows:**

The Plan’s approach to relocated buildings in Residential zones is the same as for Rural zones (Refer: Policy 4.3.2 e), Page 17). In the interests of streetscape amenity, garages on residential front yards will also be a controlled activity.

A proliferation of signs can result in visual clutter, which detracts from the amenities of residential zones. They can also have impacts on traffic safety (Refer Policy 4.13 a), Page 40). For these reasons the range of permitted signs in the zone will be tightly limited.

14. **Delete Section 4.5 Policy f) and replace with [Deleted PC55] as follows:**

f) [Deleted PC55] To strictly limit the number, size and type of signs displayed in the zone, and to ensure that they are safe.

15. **Delete Section 4.5 Explanation paragraph 6, as follows:**

The Plan’s approach to signs, relocated buildings and “eyesores” in the Village zones is the same as that for Residential zones. Controls are imposed for the same reasons. (Refer Part 4.4, Page 23).
16. Delete Section 4.6 Policy f) and replace with [Deleted PC55], as follows:

   f) [Deleted PC55] To ensure that noise and other nuisance does not have an adverse effect upon residents outside the zones.

17. Delete Section 4.6 Policy i) and replace with [Deleted PC55], as follows:

   i) [Deleted PC55] To ensure that signs do not interfere with pedestrian safety and are not themselves unsafe.

18. Delete Section 4.6 Explanation paragraph 7, as follows:

   Signage is a normal part of the character of commercial areas. The only formal control which Council will exercise over signs in the zone is on State Highway 54 for traffic safety reasons (Refer Policy 4.13 a), Page 40), and on footpath and under verandah signs for pedestrian safety reasons.

19. Delete Section 4.7 Policy b) and replace with [Deleted PC55], as follows:

   b) [Deleted PC55] To ensure that noise and other nuisance from the zone does not have an adverse effect upon residents outside the zone.

20. Delete Section 4.8 Policy b) and replace with [Deleted PC55], as follows:

   b) [Deleted PC55] To ensure that noise and other nuisance from activities in the Recreation zone does not have an undue impact upon neighbouring residents.

21. Delete Section 4.11 Policies a), b) & f) and replace with [Deleted PC55], as follows:

   a) [Deleted PC55] To mitigate the adverse effects of noise upon residents in the Rural, Village, Residential and Business zones. (Refer also: Objectives LU 10, 12, 14, 17, and 22, Pages 21, 23, 25, 28 and 32).

   b) [Deleted PC55] To recognise that industrial activities and primary production, particularly seasonal farming activities, may have unavoidable noise impacts beyond the boundary of the property concerned. (Refer also: Objective LU 10, Page 21).

   f) [Deleted PC55] To ensure that all activities take the Best Practicable Option to ensure that noise emissions do not exceed a reasonable level.

22. Delete Section 4.11 Explanation paragraphs 1 to 8, as follows:

   Whether a particular noise is perceived by listeners to be a real nuisance depends on a number of different factors. These include the time of day, how quiet the neighbourhood is, how long the noise lasts, and the nature of the sound, eg a high pitched whine vs a low rumbling. The source of the noise is also very important. If it comes from an activity which most people in the area undertake or accept, (eg lawnmowing in town or vehicle noise or topdressing in the country), it is not usually regarded as a nuisance. The nuisance value of a noise is not therefore always related to its measurable level in decibels.
Section 16 of the Act states that every occupier of land shall "adopt the Best Practicable Option to ensure that the emission of noise from that land ....... does not exceed a reasonable level." The focus is on whether there are feasible methods which the occupier should be using to reduce noise levels. It is not actually an offence to breach Section 16, but BPO is a basic concept involved in issuing abatement notices. Even where this Plan contains no specific noise standards, Council can use abatement notices to take action against unreasonable noise.

Under the Act, District Plans are unable to control noise from vehicles on roads, and can only regulate aircraft noise in relation to airports.

The Plan’s noise standards concentrate on providing protection for occupiers of dwellings (except those in Industrial zones). In Residential and Village zones non-residential activities have to meet a noise standard to qualify as a permitted activity. Residential activities will be controlled by abatement notices for specific nuisances. Fig. 3 on Page 38 explains some of the terms used in the Plan’s noise standards.

In Rural zones the noise standards are measured at dwellings, and have been set at the upper (louder) end of the NZ Standards, to recognise that primary production may be noisy. No specific controls have been included for intermittent noisy farming activities such as late-night harvesting, topdressing strips, or bird scarers.

The Plan’s noise controls for Industrial zones are measured at any nearby rural dwelling or residential zone. No specific standards are included to limit the effect of one industrial site upon another. The controls are again at the upper limit of the NZ Standards. Such zones are the proper place for noisy activities.

Business zones have stricter noise standards than Industrial zones. The standards aim to protect nearby residents and to provide some protection for residents and businesses in the zone. New dwellings are a controlled activity in the Business zone to ensure that they have some basic soundproofing. This will minimise conflict with neighbouring activities.

The Plan’s standards set stricter noise limits at night, and for urban areas on Sundays. This reflects the fact that night time and Sundays are generally quieter, and that people expect to have peace and quiet at these times.

23. Delete Section 4.11 “District Plan Methods” and “Other Methods”, as follows:

District Plan Methods

• Noise Standards contained in Rule B. (Pages 108–150).
• Air noise provisions contained in Rule B and the insulation requirements for buildings in Appendix 3A Schedules P to R. (Pages 204–210).
• Subdivision Rule C2 2.4.1 H). (Page 157).
• Abatement notices and enforcement orders.

Other Methods

• Discussion and negotiation with airfield proprietors.
• Controls on noise from Milson Airport contained in Palmerston North District Plan.
24. Delete all of 4.13 and replace with [Deleted PC55], as follows:

4.13 [Deleted PC55]

TRAFFIC SAFETY AND EFFICIENCY

Objective

LU27) To ensure the safe and efficient operation of the roading network within the
District. —[Issues 5 and 12]
(Refer also: Objectives LU 11, 12, 14, 17, 18, 57 and EWA 1 — Pages 21, 23, 25, 28, 30, 51 and 77).

Policies

a) To avoid, remedy or mitigate the effects of development upon the safety of the
District’s roads, by:

i) Avoiding “ribbon development” of townships.

ii) Requiring satisfactory sight lines for vehicles at railway crossings, at
intersections and at property entrances and exits.

iii) Ensuring that vehicle crossings are formed to a safety standard appropriate
to the function of the road concerned.

iv) Ensuring that signs or glare do not interfere with traffic safety through startling or
confusing drivers, by unduly reducing their attention capacity or by causing them to
make sudden impulse manoeuvres.

v) Preventing vegetation, signs and structures from obscuring official signs.

vi) Providing appropriate facilities for pedestrians and cyclists.

vii) Ensuring that new vegetation plantings are managed to maintain adequate
visibility at road intersections and accesses, and to minimise icing of roads.

b) To recognise the particular importance of maintaining the safety and efficiency of the
District’s arterial routes.

c) To ensure that the adverse effects of vehicle movements to and from arterial routes are
avoided, remedied or mitigated by:

i) Limiting the number of new vehicle crossings onto arterial routes.

ii) Requiring accesses to arterial routes to be built to a standard that is
appropriate for their intended use.

iii) Ensuring that property accesses are spaced, constructed and used in a manner
which does not significantly disrupt traffic flows.

Explanation

The District Plan has a key role in ensuring that new development does not create adverse
effects on traffic safety and the roading network. This role includes ensuring adequate visibility at any
new vehicle crossing, and preventing buildings and vegetation from being located where there is the
potential of obstruction of movement of pedestrians and cyclists. Sufficient room is also needed to
ensure that vehicles can get in and out of properties, and through intersections, without unduly
interfering with the flow of through traffic.

The roading hierarchy in Appendix 2B (Pages 238–240) classifies the District’s roads into the following
categories, namely:
**Major Arterial Roads**—Major Arterial Roads are of strategic importance to the Region. They provide interconnections between areas within the District and distribute traffic from major intercity links. Access is generally at grade but may be limited.

Urban traffic volumes are typically greater than 20,000 vehicles per day and rural 5,000 vehicles per day with a significant number of heavy vehicles. Typical urban operating speeds are 50 to 70 km/h and rural 80 to 100 km/h. Major Arterial Roads are State Highways S4, S6, Milson Line, Saddle Road, Halcombe Road and Camerons Line.

**Minor Arterial Roads**—Minor Arterial Roads provide access between Collector and Major Arterial Roads. These roads have a dominant through vehicular movement and carry the major public transport routes. Access to property may be restricted and rear servicing facilities may be required. Urban traffic volumes are typically 8,000 to 20,000 vehicles per day and rural from 1,000 to 5,000 vehicles per day with a higher proportion of heavy vehicles. Typical urban operating speeds are 40 to 60 km/h and rural 80 to 100 km/h. Minor Arterial Roads include Rongotea-Longburn Road to the north of Kairanga-Bunnythorpe Road, Green Road and the Cheltenham-Mangaweka routes.

**Collector Roads**—Collector Roads provide circulation in local areas and links to arterial roads, while balancing these needs with pedestrian and local amenity values. These roads provide access for all modes of transport, including public transport. Typical traffic flows are between 3,000 and 10,000 vehicles per day. These include a number of central roads through the town of Feilding, Pohangina Road, Newburry Line and the main roads to the beaches and tourist routes like the Apiti-Rangiwhaia route.

**Collector Road (Tourist)**—Collector Roads (Tourist) are those roads that currently carry traffic volumes below that of a Collector Road, but serve a similar function in that they link areas of population together.

**Local Roads**—Local Roads provide access and connectivity within a local area. Local Roads in urban areas typically carry up to 3,000 vehicles per day, have low vehicle speeds, have two lanes and provide on-street parking, property access and pedestrian needs. Local Roads in rural areas typically carry less than 1,000 vehicles per day.

Most of the State Highways running through the District are “Limited Access Roads”. This means that the New Zealand Transport Agency (or Council in the case of the former SH 56) has control over the number and location of new vehicle crossings and over new subdivisions adjoinning these roads. A proposal that meets the standards outlined in this Plan will meet the requirements under the Limited Access legislation.

**District Plan Methods**


**Other Methods**

[8] Service Delivery (roading and safety improvements including speed limits).
There are no traffic accidents attributable to the design or placement of driveways and intersections installed to serve new land uses approved under this Plan. (Objective LU 27, Page 40).

27. Delete Section 4.17 Point 14. and replace with [Deleted PC55], as follows:

14 [Deleted PC55] There are no traffic accidents attributable to glare, to vegetation or structures blocking sight lines, or signage distracting or confusing drivers, in situations where these matters are controlled by this Plan. (Objective LU 27, Page 40).

28. Delete all of Section 10 and replace with [Deleted PC55], as follows:

10. [Deleted PC55]

UTILITIES – OBJECTIVES, POLICIES AND METHODS

10.1 INTRODUCTION

The term “utilities” is defined in Rule E. It refers to the various networks of facilities and services which support the functioning of the District, and includes telecommunications, energy distribution, transport networks and airports.

Some utility providers and the Council have “requiring authority” status under Section 168 of the Act. This means that they can require specific pieces of land to be designated in the District Plan for their public works. Once the land is designated, the requiring authority may do anything that is in accordance with that designation, and other people require the consent of that authority before doing anything to the land. (Section 176 of the Act).

Many agencies such as NZ Rail have opted to use the designation process instead of having their land zoned. The New Zealand Transport Agency (NZTA) have required that State Highways be designated, but other roads are zoned. The Plan provides for a wide range of utilities in the various zones. This caters for works by agencies which either do not have requiring authority status or who choose not to use the designation procedure for a particular work.

10.2 OBJECTIVE, POLICIES & METHODS

Objective

U.1) To provide for the efficient development and maintenance of utilities throughout the District, while avoiding, remedying or mitigating the adverse effects of these facilities wherever practical. (Issue 5) (Refer...
also: Objectives LU 1, LU 2, LU 23, LU 25-27, S8, S9, EM 6, FC 1, and EWA1 – Pages 12, 32, 34, 39, 40, 53, 55, 60, 66 and 77).

Policies

a) To recognise the need for utilities throughout the District, including the subdivision of sites for utilities.
b) To avoid, remedy or mitigate the adverse effects of utilities, and the effects of other activities on utilities.

Explanation

Utilities are essential to the functioning of the District. It is in the public interest for their development and expansion to proceed. On the other hand, though, some utilities can have adverse impacts upon the landscape, ecosystems and adjoining landowners. These impacts must be managed under the Act and minimised or avoided whenever possible.

If utilities share sites and facilities, and co-ordinate their works programmes, the overall impact on the environment can be minimised. One example is where different agencies use one telecommunications mast, or group their masts together, instead of having a row of different facilities on the skyline. Another is where agencies replacing underground services do so at the same time, to avoid the inconvenience and nuisance of the street being dug up repeatedly.

Nearby land use and subdivision activities can have an adverse impact upon utilities. Such effects also need to be managed. An example is where ribbon development along a main road affects its ability to operate safely and efficiently.

District Plan Methods

- District Rule A2 2.5 (Page 102).
- Air noise controls for Milson Airport – District Rules B3 3.1.1, 3.3.1 N), 3.5.1 and 3.6 (Pages 124, 129, 131 and 133), B7 7.5.1 and 7.6 (Page 149), and C2 2.4.1 H) (Page 157).

Other Methods

- Negotiation with utility providers for shared sites and facilities whenever possible.
- Systems for Council and various utility providers to co-ordinate timing and location of works.
- Undertaking Council works in ways which minimise environmental impact and help them fit into their surroundings, eg by landscaping around buildings.

10.3 ENVIRONMENTAL RESULTS ANTICIPATED.

1. Utility providers develop and maintain their networks, without having to obtain consent for projects which will have minimal environmental effects.
2. Any effects of utility projects which are more than minor are avoided, remedied or mitigated.
3. The efficient operation of utilities is not unduly compromised by other activities nearby.

10.4 MONITORING & REVIEW PROCEDURES – UTILITIES

The procedures to be used will include:

a) Assessing the effectiveness of the selected methods in implementing the Plan’s utility policies, and changing these methods if necessary.
b) Surveys of utility providers to identify unnecessary consent requirements, and instances where other activities are adversely affecting the operation of the utility.
c) Monitoring and reporting on complaints about the effects of utility projects and operations.
29. In Rules Section A1 1.3.1, delete all of A) and replace with the following:

A) Relocated buildings - Refer to matters of control provided for in Rule 3G.4.1

Relocated Buildings (Rules A2 2.3.2, B1 1.2.1, B2 2.2.1, B3 3.2.1 and B5 5.2.1).

i) The design and appearance of the building, and its compatibility with other buildings nearby and the neighbourhood generally.

ii) The need for structural repairs to the building, including borer treatment.

iii) The bulk and location of the building in relation to the usual requirements for the zone.

iv) Work associated with the reinstatement of the building. Unless Council dispenses otherwise, such work shall be completed within six months from the date of the issue of a building consent. Council will require a cash bond, which is sufficient to cover the cost of the works involved in bringing the exterior appearance of the building up to standard, to ensure that this work is done.

v) The precise location of relocated heritage buildings within their new site and the retention of any architectural features or other important part of the building’s fittings.

30. In Rules Section A1 1.3.3, delete D) and replace with [Deleted PC55], as follows:

D) [Deleted PC55]

In assessing applications for vehicle crossings onto arterial routes which do not meet the Plan’s standards, Council will take into account:

i) Any adverse effect on the arterial route of the vehicle movements at any access or intersection.

ii) The availability of reasonably practical legal access to a road other than the State highway.

iii) Whether there is sufficient and appropriate off-road parking to meet the needs of the activity and avoid or minimise adverse effects on the safe and efficient operation of the arterial route.

iv) The extent of non-compliance with the Plan standard concerned.

31. In Rules Section A1 1.3.4 A) xxv) and xxvii) and replace with [Deleted PC55] as follows:

xxv) [Deleted PC55]

In relation to utilities:

a) Whether the proposed utility can be sited next to or share an existing utility site in order to minimise its effects.

b) Whether the proposed location, site or route is better than the alternative locations, site or routes.

c) Whether the proposed facility will affect the performance of other utilities nearby.

d) The potential effect of the facility on the health and safety of nearby residents.

e) The benefits of the facility to the community.

xxvii) [Deleted PC55]
In relation to relocated buildings:

a) The design and appearance of the building, and its compatibility with other buildings nearby and the neighbourhood generally.

b) The need for structural repairs to the building, including borer treatment.

c) The bulk and location of the building in relation to the usual requirements for the zone.

d) Work associated with the reinstatement of the building. Unless Council dispenses otherwise, such work shall be completed within six months from the date of issue of a building consent. Council will require a cash bond, which is sufficient to cover the cost of the works involved in bringing the exterior appearance of the building up to standard, to ensure that this work is done.

e) The precise location of relocated heritage buildings within their new site and the retention of any architectural features or other important part of the building’s fittings.

32. In Rules section A2, Amend A2.2 as follows:

2.2 TEMPORARY ACTIVITIES—(REFER POLICY 4.2 D), PAGE 12) 3

NB—Some of the activities listed below may also require consent from the Regional Council.

2.2.1 Definition

A) For the purpose of this rule “temporary activity” means any short-term use of land for any of the following purposes:

i) Construction, scaffolding, builders’ storage yards, builders’ workshops and activities of similar character which are incidental to a construction project.

ii) Construction associated with a private hobby that is not a commercial enterprise (such as building a boat).

iii) Sporting events, public meetings, galas, market days, and recreational and festive events.

iv) Street users.

v) Demolition and/or removal of buildings, except those buildings subject to Rule A2.2.3 (Pages 98-100).

vi) Any temporary storage of goods or materials.

vii) Motor Caravan Rallies, except if sited in the Air Noise Area

viii) Temporary buildings

ix) Military training activities.

x) In the Rural zone or Flood Channel zone, operation of a portable sawmill or portable gravel crusher.

xi) Signs for electioneering purposes.

xii) Any sign advertising the disposal of the land or premises upon which it is situated.

xiii) Signs advertising community events within the District such as galas, fetes, parades, fund raising or school reunions.

xiv) Temporary signs including warning signs, erected on a construction or demolition site, stating the name of parties involved in the construction or demolition.
2.2.2 Permitted Activities

Temporary activities shall be permitted activities in all zones, provided that they comply with the standards in Rule 2.2.3 below.

NB: Consent from the road controlling authority is also required for any work within the road reserve.

2.2.3 Standards for Permitted Activities

A) Activities incidental to construction or demolition:
   i) Shall be limited either to the duration of the project or to a period not exceeding 12 months, whichever is the lesser.
   ii) Noise emission must meet the relevant requirements of NZ Standard 6803P: 1984, except in regard to emergency construction work.
   iii) All demolition materials and debris shall be removed from the site within two months of the demolition being completed.

B) Sporting events, public meetings, galas, market days, and other recreational and festive events:
   i) Hours of operation 7am – 10pm.
   ii) Duration: not exceeding two days.

C) Any temporary storage of goods or materials—Maximum duration 6 months.

D) Temporary buildings (including tents, mobile homes and prefabricated buildings) must:
   i) be readily moveable and
   ii) meet any yard requirements of this Plan and
   iii) must be removed from the site within 6 months of the commencement of the activity and
   iv) not occupy a site for more than one 6 month period in any 12 months.

E) Portable sawmills or portable gravel crushers shall not be located within 100 metres of a neighbouring dwelling and shall not operate during more than four months of any year on any one site.

F) Temporary signs shall not be located on roads, except for those associated with street users. No signs shall be larger than 3m². Signs shall not detrimentally affect traffic safety or traffic control by creating a visual obstruction or confusing motorists. Signs shall not be structurally unsound or unsafe. If signs are illuminated they shall be non-flashing.

G) Temporary signs for events and electioneering shall only be permitted in the two month period prior to the event or election, and shall be removed no later than one week after the event or election.

2.2.4 Discretionary Activities

A) Any permitted activity specified above which does not comply with any of the relevant standards in Rule 2.2.3 above shall be a discretionary activity.

B) The matters set out in Rule A1 1.3.4 (Page 94) will be taken into account in assessing applications for discretionary activities.
33. In Rules Section A2, delete all of 2.4 and 2.5 and replace with [Deleted PC55], as follows:

2.4 [Deleted PC55]

PARKING STANDARDS

2.4.1 Assessment Of Car-Parking Requirements

A) Where two or more buildings on a site are unlikely to be used at the same time, parking will be calculated in relation to the building having the greatest requirement.

B) For a multi-purpose site where all facilities may be used at one time, the total parking requirements for each facility will have to be provided.

C) Any fraction under one half resulting from parking space calculations shall be disregarded. Fractions of one half or more shall be counted as one parking space.

D) Parking requirements based on staff numbers shall be calculated from full-time equivalent staff members for the activity concerned.

2.4.2 Parking & Manoeuvring Spaces, & Access

A) Every parking space shall be provided with the necessary manoeuvring space and access from and to the road.

B) Manoeuvring space and parking spaces must comply with the minimum dimensions set out in Appendix 2A (Page 191).

C) Where six or more parking spaces are provided on a site, sufficient space shall be provided to ensure that no reverse manoeuvring onto or off a road is needed.

D) Parking spaces shall be located off the street or road.

2.4.3 Change Of Use Or Additional Development

Where a change of use occurs requiring a higher standard of car parking or where the floor area of a building is increased, additional car parking will be required in terms of the Plan’s standards.

2.4.4 Formation And Screening Of Parking Areas

A) All parking spaces required by this Plan (except those for dwelling units) must be formed, surfaced and marked out to the Council’s standard. Formation shall be seal, concrete or other hardstanding in urban zones and hardstanding or gravel in the Rural zones.

B) Parking areas adjoining land-zoned Residential shall be screened from residential sites by a solid screen wall or fence at least 1.5m high unless the parties agree to some alternative form of screening.

2.4.5 Parking Standards For Permitted And Controlled Activities In All Zones

<table>
<thead>
<tr>
<th>Dwelling units and Family Flats:</th>
<th>1 park for the first dwelling unit plus 2 for every flat or unit thereafter.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Housing for the elderly:</td>
<td>1 park for every three units.</td>
</tr>
<tr>
<td>Specialist services, veterinary clinics and veterinary hospitals</td>
<td>1 park per staff member, plus 2 additional patient parks per practitioner.</td>
</tr>
<tr>
<td>Home Occupations:</td>
<td>In addition to parking associated with the dwelling—1 park per staff member.</td>
</tr>
<tr>
<td>Proposed Manawatu District Plan Chapter 3 District Wide Rules – Section 32 Report</td>
<td></td>
</tr>
<tr>
<td>-------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td><strong>Retail sales from Home Occupations and from Craft Workshops and Studios</strong></td>
<td>At least 4 parking spaces.</td>
</tr>
<tr>
<td><strong>Pre-Schools and Day Care Centres</strong></td>
<td>1 park per staff member, plus 1 park per 4 clients if parental supervision is a requirement.</td>
</tr>
<tr>
<td><strong>Primary Schools</strong></td>
<td>0.7 of a park per staff member.</td>
</tr>
<tr>
<td><strong>Secondary Schools</strong></td>
<td>0.7 of a park per staff member plus 1 park per 20 students.</td>
</tr>
<tr>
<td><strong>Places of Assembly, Marae and Tertiary Education Facilities</strong></td>
<td>1 park per 10 m² gross floor area.</td>
</tr>
</tbody>
</table>
| **Funeral premises** | Chapels – 1 park for every 10 seats
Other rooms – 1 park per 65 m² gross floor area. |
| **Travellers’ Accommodation** | 1 park per motel unit or 1 park for every 4 beds. |
| **Boarding Houses** | 1 park for every 4 beds plus 1 park for every 2 staff employed. |
| **Hospitals** | 0.7 parks per bed. |
| **Catteries** | At least four parking spaces. |
| **Homes for the Aged** | 1 park for every 4 beds, plus 1 park for every 2 staff employed. |
| **Offices** | 1 park per 40 m² gross floor area. |
| **Shops (except supermarkets and shopping malls)** | 1 park per 40 m² gross floor area. |
| **Garden Centres** | 1 car park per 25 m² gross floor area. |
| **Libraries** | 1 car park per 4 seats. |
| **Commercial services & printing** | 1 car park per 6 people for up to 150 people (designed to be accommodated). |
| **Motor Vehicle Showrooms (office space only)** | 1 car park per 5 people for up to 151-200 people (designed to be accommodated). |
| **Supermarkets and shopping malls** | 1 car park per 4 people for up to 201-250 people (designed to be accommodated). |
| **Restaurants** | 1 car park per 3 people for over 250 people (designed to be accommodated). |
| **Service stations** | 1 car park per 3 people for over 250 people (designed to be accommodated). |
| **Factories** | 4 parks per lubrication and service bay. |
| **Warehouse or storage buildings** | 1 car park per 100 m² gross floor area. |
| **Storage yards** | 1 car park per 200 m² gross floor area. |
| **Large format retail activity exceeding 2,000 m² gross floor area** | 1 car park per 25 m² gross floor area. |

**2.5 [Deleted PC55]**

**UTILITIES (REFER PART 10, PAGE 81)**
NB: The provisions contained in this section shall be the only provisions that apply in respect of utilities and to that extent shall override all other provisions in this Plan.

NB: Some of the activities listed below, particularly those marked with “MWRC“ may also require consent from the Regional Council.

2.5.1 Permitted Activities

A) The following utilities shall be permitted activities throughout the District, provided that they comply with the standards in Rule 2.5.3 below:

i) The operation, maintenance, minor upgrading or repair of utilities existing as at 1 August 1998, and any ongoing maintenance or repair of utilities for which resource consent has been granted.

ii) Construction, operation, and upgrading of roads and railways within the existing road reserve or railway.

iii) Realignment of existing roads or railways.

iv) Underground pipes, cables and lines, and necessary incidental equipment including pump stations.

v) Navigational aids, lighthouses and beacons.

vi) Transformers and lines and associated equipment for conveying electricity up to and including 110kv, with a capacity up to and including 100 MVA per circuit.

vii) Upgrading of transformers and lines for conveying electricity of over 110kv, with a capacity exceeding 100 MVA per circuit, provided that this upgrading does not include any increase in the voltage of the line unless the line was originally constructed to operate at the higher voltage but has been operating at a reduced voltage.

viii) Soil conservation and river control works.

ix) Land drainage, stormwater control or irrigation works including pump stations.

x) Railway crossing warning devices and barrier arms.

xi) Trig stations and survey marks.

xii) Radiocommunication and/or telecommunication facilities.

xiii) Meteorological instruments and facilities.

xiv) Fire Stations

xv) Recycling depots with a gross area of less than 20m².

xvi) Water storage tanks, reservoirs and wells, including pump stations.

NB: Consent from the road controlling authority is also required for any work within the road reserve.

2.5.2 Controlled Activities

A) The following utilities shall be controlled activities within Industrial, Village and Rural zones, provided that they comply with the standards in Rule 2.5.3 below:

i) Refuse transfer stations.

ii) Recycling depots with a gross area of over 20m².
B) The matters over which Council has reserved its control and in respect of which conditions may be imposed are set out in Rule A1.1.3.1 (Page 90).

2.5.3 Standards for Permitted and Controlled Activities

A) In Residential and Village Zones

i) New masts and buildings shall not exceed a maximum height of 9 metres. Buildings other than masts shall comply with the height plane requirements in Rule B1.1.3.1 B ii) (Page 109).

NB These height requirements shall not apply to antennas or lightning conductors which do not exceed a height of 3m above the height of the building or the mast upon which they are sited.

ii) No mast or building shall be closer than 5 metres to any site boundary. This 5m yard shall not apply to utility buildings with a floor area of less than 10 m², or to overhead lines and cables including any support structures. This 5m yard shall also not apply to masts in respect of the road boundary of the site concerned.

iii) Any radiocommunication and/or telecommunication facility shall be designed and operated so as not to emit radio frequency emissions in excess of the maximum non-occupational exposure levels prescribed by NZ Standard 6609:1990, on the basis of measurements undertaken in accordance with the Standard’s principles and methods of measurement.

iv) Noise from any building or fixed equipment (excluding warning devices and construction noise) shall not exceed the following noise limits, at any point within the boundary of any other site in the Residential zone or Village zone.

- 7am to 10pm Monday to Saturday: 45dBA L10
- At all other times: 35dBA L10 and 55 dBAE max

Sound levels shall be measured in accordance with NZ Standard NZS 6801:1991 Measurement of Sound, and assessed in accordance with NZS 6802:1991, Assessment of Environmental Sound.

v) Where network utilities or associated structures are located underground, the ground surface and any vegetation disturbed shall be reinstated or replaced as soon as possible.

vi) No dish antenna shall exceed a diameter of 2.5 metres.

vii) Where construction work associated with any network utility is done within any legal road, the person responsible for that work shall notify the road controlling authority of the proposed work at least 10 working days before starting the work.

viii) Works associated with a utility shall not disturb any heritage place listed in this Plan.

ix) Exterior lighting shall be directed away from public places and adjoining premises, and shall avoid any spill of light which might distract motorists.

x) Metal cladding or fences shall not be left in such a condition that the reflection of sunlight would cause annoyance or traffic danger.

xi) At all road/rail level crossings the areas shown in Appendix 2F (Page 202) shall be kept clear of buildings and other obstructions which might block sight lines.

xii) Refuse transfer station sites shall be at least 100 metres from the nearest dwelling.

xiii) Refuse transfer stations and recycling depots shall be fenced to contain any possible windborne debris.

B) In Zones Other than Residential and Village
i) Buildings shall comply with the relevant yard and height requirements for the zone in which they are located. These yard requirements shall not however apply to utility buildings with a floor area of less than 10 m², or to masts with a height of 9 m or less. These height requirements shall not apply to overhead lines and cables including support structures (e.g. poles or towers), or to masts with a height of 9 m or less.

ii) The following yard requirements shall apply to masts with a height of 9 m or less:
   a) On sites in Rural or Flood Channel zones:
      Side Yards – 5 m Rear yards – 5 m Front yards – Nil
   b) On sites in Business, Industrial or Recreation zones:
      5 m from any adjoining site zoned Residential, Village, Rural, Recreation or Flood Channel.

iii) Masts shall have a maximum height of 20 metres.

iv) The height requirements in i) and iii) shall not apply to antennas or lightning conductors which do not exceed a height of 3 m above the height of the building or the mast upon which they are sited.

v) Masts with a height of more than 9 m shall not be located within 30 metres of the notional boundary of any dwelling, place of assembly or educational facility.

Note: In this rule the notional boundary is defined as a line 20 metres from:
   ❍ the exterior wall of any dwelling,
   ❍ the exterior wall of any building used as an educational facility,
   ❍ the exterior wall of any building used as a place of assembly, or
   ❍ the legal boundary where this is closer to the dwelling, educational facility or place of assembly concerned.

vi) Masts with a height of more than 9 m shall not be located within 20 metres of any boundary of any site zoned Residential, Village, Rural, Recreation or Flood Channel.

vii) Masts with a height of more than 9 m located on any site zoned Rural or Flood Channel shall not be located within 20 metres of any road.

viii) Any radiocommunication and/or telecommunication facility shall be designed and operated so as not to emit radio frequency emissions in excess of the maximum non-occupational exposure levels prescribed by NZ Standard 6609:1990, on the basis of measurements undertaken in accordance with the Standard’s principles and methods of measurement.

ix) No dish antenna shall exceed a diameter of 5 metres.

x) Noise from any building or fixed equipment (excluding warning devices and construction noise) shall not exceed the following noise limits, at any point within the boundary of any site zoned Village or Residential or at or within the notional boundary of any dwelling in a Rural zone:
   7 am to 10 pm, Monday to Saturday – 55 dBA L10
   At all other times – 45 dBA L10 and 65 dBA Lmax

Sound levels shall be measured and assessed in accordance with New Zealand Standards 6801:1991 Measurement of Sound and NZS 6802:1991 Assessment of Environmental Sound.
Note: The notional boundary is defined in NZS 6802:1991 as a line 20 metres from the facade of any rural dwelling, or the legal boundary where this is closer to the dwelling.

xi) Where network utilities or associated structures are located underground, the ground surface and any vegetation disturbed shall be reinstated or replaced as soon as possible.

xii) Where any construction work associated with any network utility is done within any legal road, the person responsible for that work shall notify the road controlling authority at least 10 working days before starting the work.

xiii) Works associated with a utility shall not disturb any heritage place listed in this Plan.

xiv) Exterior lighting shall be directed away from public places and adjoining premises, and shall avoid any spill of light which might distract motorists.

xv) Metal cladding or fences shall not be left in such a condition that the reflection of sunlight would cause annoyance or traffic danger.

xvi) At all road/rail level crossings the areas shown in Appendix 2F shall be kept clear of buildings and of other obstructions which might block sight lines.

xvii) Recycling depots shall be fenced to contain any possible windborne debris.

xviii) Refuse transfer stations shall be located at least 100 metres from the nearest dwelling.

2.5.4 Restricted Discretionary Activities

A) Any permitted or controlled activity specified above which does not comply with any of the relevant standards in Rule A2 2.5.3, shall be a restricted discretionary activity.

B) In assessing applications for restricted discretionary activities Council has reserved its control over the matters listed in Rule A1 1.3.3 (Page 93).

2.5.5 Discretionary Activities

A) List of Activities

Utilities not otherwise specified as permitted, controlled or restricted discretionary activities shall be discretionary activities throughout the District.

B) Criteria for Assessment

The above discretionary activities will be assessed in terms of the criteria in Rule A1 1.3.4 (Page 94).

34. In Rules Section A2, delete all of 2.8.2 and replace with [Deleted PC55], as follows:

2.8.2 [Deleted PC55]

Zoning of Roads

A) Roads other than State Highways are not designated under this Plan and are zoned instead. The zoning of roads shall be the same as that of the adjoining land. If the zoning on opposite sides of the road is different, the road centreline shall be the zone boundary.

35. In Rules Section B1, 1.1.1 A) xi), delete reference to B1 1.3.6 and replace as follows:

xi) Signs which comply with Rule 36.4.1 B1 1.3.6.
36. In Rules Section B1, 1.1.1 A) xiii), delete everything after “Earthworks” and replace with the following:

xiv) Earthworks which comply with Rules 3D.4.1 and 3D.4.2 ancillary to permitted activities or to approved controlled, restricted discretionary or discretionary activities. NB: for specific earthworks provisions in the National Grid Yard, refer to Rule B1 1.3.5.

37. In Rules Section B1, 1.2.1 A), delete i) and replace with [Deleted PC55] as follows:

i) [Deleted PC55] Relocating previously used buildings from another site.

38. In Rules Section B1, 1.3.1 F), delete everything after “Access” and replace as follows:

F) Access to Arterial Routes and Intersecting Roads.

Compliance with Rules 3B.4.2 and 3B.4.3.

i) Vehicle crossings constructed to the arterial routes defined in Appendix 2B (Pages 192 and 193) shall meet the following standards:

a) The minimum sight distance to and from the vehicle crossing shall comply with the criteria in Appendix 2C.

b) The location of the crossing shall comply with Appendix 2C.

c) Use of the crossing shall not exceed 100 car equivalent vehicle movements per day, calculated using Appendix 2C.

ii) Vehicle crossings constructed to roads which intersect with the arterial routes defined in Appendix 2B shall be sited in accordance with Appendix 2C.

NB: Constructing vehicle crossings may also require the approval of the road controlling authority.

39. In Rules Section B1, 1.3.1 G), delete everything after “Parking” and replace as follows:

G) Parking

Compliance with Rule 3B.4.5. Refer to Rule A2.2.4, (Page 100).

40. In Rules Section B1, 1.3.1 l), delete everything after “Glare” and replace as follows:

l) Glare

Compliance with Rule 3B.4.4.

i) Exterior lighting shall be directed away from public places and adjoining premises and shall avoid any spill of light which might distract motorists.

ii) Metal cladding or fences shall not be left in such a condition that the reflection of sunlight would cause traffic danger.

41. In Rules Section B1, 1.3.1 j), delete everything and replace with [Deleted PC55], as follows:
J) [Deleted PC55]

Where common access to eight or more dwellings is to be provided, this access must be a new legal road, to be formed to Council’s standards.

42. In Rules Section B1, 1.3.3 E) delete rule reference and replace, as follows:

E) Parking

Refer to Rule 3B.4.5 Rule A2.2.4, Page 100.

43. In Rules Section B1, 1.3.4 G), delete everything after “Noise” and replace as follows:

G) Noise

Compliance with Rule 3C.4.2.

i) All activities shall be conducted so as to ensure that noise from the site shall not exceed the following noise limits, at any point within the boundary of any other site in the Residential zone:

<table>
<thead>
<tr>
<th>Time</th>
<th>Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>7.00 am to 10:00 pm</td>
<td>45dBA L10</td>
</tr>
<tr>
<td>10:00 pm to 7:00 am</td>
<td>35dBA L10 and 55dBA Lmax</td>
</tr>
</tbody>
</table>

ii) Sound levels shall be measured in accordance with New Zealand Standards NZS 6801:1991 Measurement of Sound and assessed in accordance with NZS 6802:1991 Assessment of Environmental Sound.

44. In Rules section B1, 1.3.4 H), delete everything after “Parking” and replace as follows:

H) Parking

Compliance with Rule 3B.4.5.

Refer Rule A2.2.4, (Page 100)

45. In Rules Section B1, 1.3.4 J), delete everything after “Glare” and replace as follows:

J) Glare

Compliance with Rule 3B.4.4

i) Exterior lighting shall be directed away from public places and adjoining premises and shall avoid any spill of light which might distract motorists.

ii) Metal cladding or fences shall not be left in such a condition that the reflection of sunlight would cause traffic danger.
46. In Rules Section B1, 1.3.4 K), delete everything after “Access” and replace as follows:

K) Access to Arterial Routes

Compliance with Rule 3B.4.3

Any access to arterial routes shall comply with Rule B1 1.3.1 F) (Page 111).

47. In Rules Section B1, 1.3.5 F) iii) and iv), delete as follows:

iii) Any earthworks undertaken:

   a) by a Network Utility Operator, or
   b) as part of agricultural or domestic cultivation, or
   c) repair, sealing or resealing of a road, footpath, driveway or farm track.

iv) Any other earthworks shall be permitted, where the following conditions are met:

   a) any earthworks do not exceed a depth (measured vertically) of 300mm within a distance measured 12 metres from the outer visible edge of any National Grid tower; and
   b) any earthworks do not create an unstable batter that will affect a transmission support structure; and
   c) any earthworks do not result in a reduction in the ground to conductor clearance distances below what is required by Table 4 of NZEC34:2001.

Note: Vegetation to be planted within the National Grid corridor must be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2005.

Note: The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZEC34:2001) contains restrictions on the location of structures and activities in relation to the lines. Compliance with the permitted activity standards of the Plan does not ensure compliance with the Code of Practice.

48. In Rules Section B1, 1.3.6, delete everything after “Signs in the Residential Zone” and replace as follows:

1.3.6 Signs In The Residential Zone

A) Signs

Compliance with Rules 3E.4.1 and 3E.4.2.

A) Signs Affecting Safety

i) Signs shall not detrimentally affect traffic safety or traffic control by creating a visual obstruction or by causing confusion to motorists.

ii) Signs shall not reduce or obstruct the conspicuity of official signs or traffic signals.

iii) Signs shall not be structurally unsound or unsafe.

iv) Any illuminated signs shall not be flashing, animated or trivision.

v) Signs shall not involve revolving lights, lasers or aerial signs.
B) Signs on Roads

The only signs permitted on any part of a legal road in the Residential zone are:

i) Official signs.

ii) Not more than one “welcome to” sign erected at each entrance to a township.

iii) Information boards.

NB: Signs on roads also need approval from the road controlling authority.

C) Signs on Private Property

All signs on private property in the Residential zone shall comply with the height controls in Rule B1.3.1B) (Page 109), and shall be limited to:

i) One sign not exceeding 0.3m² in area showing the number of any premises, the name of any dwelling unit or the location, time-table or other details of any utility or public facility.

ii) One sign not exceeding 1.2m² in area erected in connection with a reserve, place of assembly, marae, educational facility, hospital, or home for the aged.

iii) One sign not exceeding 0.2m² in area, bearing only the name, occupation or hours of business of the occupier of the building.

iv) One sign not exceeding 0.6m² erected in connection with travellers’ accommodation.

v) Any temporary sign permitted by Rule A2.2. (Page 97).

vi) Signs not exceeding 0.6m² erected in connection with tourist publicity, or special information, or denoting places or points of special interest.

49. In Rules Section B2, 2.1.1 A) xii), delete rule reference and replace, as follows:

xii) Signs which comply with Rules 3E.4.1 and 3E.4.2B2.2.3.3.

50. In Rules Section B2, 2.1.1 A) xiv), delete everything after “Earthworks” and replace as follows:

xiv) Earthworks which comply with Rules 3D.4.1 and 3D.4.2, ancillary to permitted activities or to approved controlled, restricted discretionary or discretionary activities.

51. In Rules Section B2, 2.2.1 A) ii) delete everything and replace with [Deleted PC55]:

ii) [Deleted PC55] Relocating previously used buildings from another site.

52. In Rules Section B2, 2.3.1 F), delete rule reference and replace, as follows:

F) Parking

Refer to Rule 3B.4.5 A2.2.4, Page 100.
53. In Rules Section B2, 2.3.1 G), delete everything after “crossings” and replace, as follows:

G) Visibility at Railway Crossings

Compliance with Rule 3B.4.3 and Appendix 3B.5.

At all road/rail level crossings the areas shown in Appendix 2f (Page 202) shall be kept clear of buildings and of other obstructions which might block sight lines.

54. In Rules Section B2, 2.3.1 J), delete everything after “Access” and replace, as follows:

J) Access

Compliance with Rules 3B.4.2 and 3B.4.3.

i) No dwelling or accessory building shall have access via an unformed road.

ii) Where common access to eight or more dwellings is to be provided, this access must be a new legal road, to be formed to Council’s standards.

55. In Rules Section B2, 2.3.1 K), delete everything and replace with [Deleted PC55], as follows:

K) [Deleted PC55]

Access to Arterial Routes and Intersecting Roads.

i) Vehicle crossings constructed to the arterial routes defined in Appendix 2B (Pages 192 and 193) shall meet the following standards:

   a) The minimum sight distance to and from the vehicle crossing shall comply with the criteria in Appendix 2C.

   b) The location of the crossing shall comply with Appendix 2C.

   c) Use of the crossing shall not exceed 100 car equivalent vehicle movements per day, calculated using Appendix 2C.

ii) Vehicle crossings constructed to roads which intersect with the arterial routes defined in Appendix 2B shall be sited in accordance with Appendix 2C.

   NB: Constructing vehicle crossings may also require the approval of the road controlling authority.

56. In Rules Section B2, 2.3.1 L), delete everything after “Glare” and replace, as follows:

L) Glare

Compliance with Rule 3B.4.4.

i) Exterior lighting shall be directed away from public places and adjoining premises and shall avoid any spill of light which might distract motorists.

ii) Metal cladding or fences shall not be left in such a condition that the reflection of sunlight would cause traffic danger.
57. In Rules Section B2, 2.3.2 D), delete everything after “Parking” and replace, as follows:

D) Parking
Compliance with Rule 3B.4.5
Refer to Rule A2.2.4, Page 100.

58. In Rules Section B2, 2.3.2 E), delete everything after “...Crossings” and replace, as follows:

E) Visibility at Railway Crossings
Compliance with Rule 3B.4.3 and Appendix 3B.5.
At all road/rail level crossings the areas shown in Appendix 2F (Page 202) shall be kept clear of buildings and of other obstructions which might block sight lines.

59. In Rules Section B2, 2.3.2 F), delete everything after “Access” and replace, as follows:

F) Access
Compliance with Rules 3B.4.2 and 3B.4.3.
No dwelling or accessory building shall have access via an unformed road.

60. In Rules Section B2, 2.3.2 G), delete everything and replace with [Deleted PC55], as follows:

G) [Deleted PC55]
Access to Arterial Routes
Vehicle crossings constructed to the arterial routes defined in Appendix 2B shall meet the standards in Rule B2 2.3.1.K (Page 120).

61. In Rules Section B2, 2.3.2 H), delete everything after “Noise” and replace, as follows:

H) Noise
Compliance with Rule 3C.4.2.
i) All activities shall be conducted so as to ensure that noise from the site shall not exceed the following noise limits, at any point within the boundary of any other site in the Village zone:

7.00 am to 10:00 pm ———— ———— 45 dBA L10
10.00 pm to 7.00 am the following day ———— 35 dBA L10 and 55 dBA Lmax

ii) Sound levels shall be measured in accordance with New Zealand Standard NZS 6801:1991 Measurement of Sound and assessed in accordance with NZS 6802:1991 Assessment of Environmental Sound.
62. In Rules Section B2, 2.3.2 J), delete everything after “Glare” and replace, as follows:

J) Glare

Compliance with Rule 3B.4.4.

i) Exterior lighting shall be directed away from public places and adjoining premises and shall avoid any spill of light which might distract motorists.

ii) Metal cladding or fences shall not be left in such a condition that the reflection of sunlight would cause traffic danger.

63. In Rules Section B2, 2.3.3 A), delete everything after “Village Zone” and replace, as follows:

2.3.3 Signs in the Village Zone

Signs

Compliance with Rules 3E.4.1 and 3E.4.2.

A) Signs Affecting Safety

i) Signs shall not detrimentally affect traffic safety or traffic control by creating a visual obstruction or by causing confusion to motorists.

ii) Signs shall not reduce or obstruct the conspicuity of official signs or traffic signals.

iii) Signs shall not be structurally unsound or unsafe.

iv) Any illuminated signs shall not be flashing, animated or trivision.

v) Signs shall not involve revolving lights, lasers or aerial signs.

B) Signs on Roads

The only signs permitted on any part of a legal road in the Village Zone are:

i) Official signs.

ii) Not more than one “welcome to” sign erected at each entrance to a township.

iii) Information boards.

NB: Signs on roads also need approval from the road controlling authority

C) Signs on Private Property without Identified Frontage

On private property within the Village Zone which does not have identified frontage shown on the Planning Maps, the only signs permitted are:

i) One sign not exceeding 0.3m² in area showing the name of any premises, the name of the dwelling unit or the location, timetable or other details of any utility or public facility.

ii) One sign not exceeding 1.2m² in area erected in connection with a reserve, church, school, hospital, or home for the aged.

iii) One sign accessory to a non-residential activity located on the site concerned.

iv) One sign not exceeding 0.2m² in area, bearing only the name, occupation and hours of business of the occupier using the building.
v) One sign not exceeding 0.6m$^2$ erected in connection with any form of travellers' accommodation.

vi) Signs not exceeding 0.6m$^2$ in area, erected in connection with tourist publicity, or special information, or denoting places or points of special interest.

D) Signs on Private Property with Identified Frontage

i) On private property within the Village zone which has identified frontage shown on the Planning Maps, the only signs permitted on sites adjoining State Highways are:

a) Temporary signs permitted by Rule A2 2.2. (Page 97).

b) Traffic signs, or signs showing the number of the premises or the location, timetabled or other details of any utility or public facility.

c) One pole sign not exceeding 3m$^2$ for any permitted use of the premises.

d) Signs written on or affixed to a building.

ii) On sites within the Village zone which have identified frontage shown on the Planning Maps and which do not adjoin State Highways, any sign which complies with A) above shall be a permitted activity.

64. In Rules Section B3, 3.1.1 A) xxiv) delete rules reference and replace, as follows:

xxiv) Signs which comply with Rules 3E.4.1 and 3E.4.2 B3 3.3.2 (Page 130).

65. In Rules Section B3, 3.1.1 A) xxv) delete everything after “Earthworks” and replace, as follows:

xxv) Earthworks which comply with Rules 3D.4.1 and 3D.4.2 ancillary to permitted activities or to approved controlled, restricted discretionary or discretionary activities.

66. In Rules Section B3, 3.2.1 A) i) delete everything and replace with [Deleted PC55], as follows:

i) [Deleted PC55] Relocating previously used buildings from another site, except in the case of dwellings to be sited within the Air Noise Area. (Refer Appendix 3A, Page 203).

67. In Rules Section B3, 3.3.1 K), delete everything after “Noise” and replace, as follows:

K) Noise Received in Residential Zones or Village Zones

Compliance with Rule 3C.4.2.

All activities shall be so conducted as to ensure that noise from sites in the Rural zone shall not exceed the following noise limits, at any point within the boundary of any site zoned Residential or Village.

7.00am to 10.00pm 55 dBA L10
10.00pm to 7.00am the following day 45 dBA L10 and 65 dBA Lmax
68. In Rules Section B3, 3.3.1 L & M), delete everything and replace with [Deleted PC55], as follows:

L)  [Deleted PC55]

Noise Received at Rural Dwellings

All activities shall be conducted so as to ensure that noise from the site shall not exceed the following noise limits, at any point within the notional boundary of any rural dwelling not on the subject site:

6.00am to 10.00pm ———— 55 dBA L10
10.00pm to 6.00am the following day ———— 45 dBA L10 and 65 dBA Lmax

Note: the notional boundary is defined in NZS 6802: 1991 Assessment of Environmental Sound as a line 20 metres from the facade of any rural dwelling, or the legal boundary where this is closer to the dwelling,

M)  [Deleted PC55]

Exemptions and Measurement of Noise

i) The foregoing noise limits shall not apply to activities of a limited duration required by normal agricultural practice, such as harvesting. Such activities shall be no louder than necessary, and shall comply with the requirements of Section 16 of the Act.

ii) Sound levels shall be measured in accordance with New Zealand Standard NZS 6801: 1991 Measurement of Sound and assessed in accordance with NZS 6802: 1991 Assessment of Environmental Sound. NB. The foregoing noise limits shall not apply to aircraft noise associated with operational activities at airports, including taxiing and runups.

69. In Rules Section B3, 3.3.1 O), delete everything after “Parking” and replace, as follows:

O)  Parking. Refer Rule A2.2.4 (Page 100)

Compliance with Rule 3B.4.5.

70. In Rules Section B3, 3.3.1 P), delete everything after “… Crossings” and replace, as follows:

P)  Visibility at Railway Crossings

Compliance with Rule 3B.4.3 and Appendix 3B.5.

At all road/rail level crossings the areas shown in Appendix 2F (Page 202) shall be kept clear of buildings and of other obstructions which might block sight lines.

71. In Rules Section B3, 3.3.1 Q), delete everything after “Access” and replace, as follows:

Q)  Access to Roads

Compliance with Rules 3B.4.2 and 3B.4.3.

i) Vehicle crossings constructed to the arterial routes defined in Appendix 2B (Pages 192 and 193) shall meet the following standards:
Proposed Manawatu District Plan Chapter 3 District Wide Rules – Section 32 Report

a) Such vehicle crossings shall only be constructed if there is no alternative legal access to another road.

b) The minimum sight distance to and from the vehicle crossing shall comply with the criteria in Appendix 2C.

c) The location of the crossing shall comply with Appendix 2C.

d) Use of the crossing shall not exceed 100 car equivalent vehicle movements per day.

Compliance with Rule 3B.4.4.

i) Exterior lighting shall be directed away from public places and adjoining premises and shall avoid any spill of light which might distract motorists.

ii) Metal cladding or fences shall not be left in such a condition that the reflection of sunlight would cause traffic danger.

iii) No dwelling or accessory building shall have access via an unformed road.

NB: Constructing vehicle crossings may also require the approval of the road controlling authority.

72. In Rules Section B3, 3.3.1 S), delete everything after “Glare” and replace, as follows:

S) Glare

Compliance with Rule 3B.4.4.

i) Exterior lighting shall be directed away from public places and adjoining premises and shall avoid any spill of light which might distract motorists.

ii) Metal cladding or fences shall not be left in such a condition that the reflection of sunlight would cause traffic danger.

73. In Rules Section B3, 3.3.2, delete everything after “...Channel Zones” and replace, as follows:

3.3.2 Signs in the Rural or Flood Channel Zones

A) Signs

Compliance with Rules 3E.4.1 and 3E.4.2.

A) Signs Affecting Safety

i) Signs shall not detrimentally affect traffic safety or traffic control by creating a visual obstruction or by causing confusion to motorists.

ii) Signs shall not reduce or obstruct the conspicuity of official signs or traffic signals.

iii) Signs shall not be structurally unsound or unsafe.

iv) Any illuminated signs shall not be flashing, animated or trivision.

v) Signs shall not involve revolving lights, lasers or aerial signs.

B) Signs on Roads
Proposed Manawatu District Plan Chapter 3 District Wide Rules – Section 32 Report

On legal roads in the Rural or Flood Channel zones, the only signs permitted are:

i) Official signs.

ii) Not more than one “welcome to” sign erected at each entrance to a township.

iii) Official Information boards

NB: Signs on roads need approval from the road controlling authority.

74. In Rules Section B3, 3.3.2 (C), change (C) to (B):

B) C) On private property in the Rural or Flood Channel zones, the only signs permitted are:

i) A sign not exceeding 1m² in area for any public purpose or in connection with and on the same site as any of the following activities:
   a) Reserves.
   b) Places of assembly.
   c) Museums and educational institutions. d) Hospitals and homes for the aged.
   e) Travellers accommodation.

ii) Temporary signs permitted by Rule 3E.4.2 Rule A2.2.2 (Page 97).

iii) Traffic signs, or signs denoting the name of the road, number of the premises or the location of, timetable, or other details of any utility or public facility.

iv) A sign not exceeding 0.5m² in area bearing only the name of the premises, the professions of occupiers, and the name, occupation and hours of attendance of people using the premises. If more than one sign is displayed on one site the total area of signs shall not exceed 1.5m².

v) A sign not exceeding 1m² for any permitted use which requires the erection of such a sign, or for the sale of produce grown on the premises.

NB: Signs which do not comply with A) or B) above shall be non-complying activities. Signs which do not comply with C) above and which are not a discretionary activity under Rule B3 3.5.1, Rule B3 3.5.2 or Rule B7 7.5.1 shall also be a non-complying activity.

75. In Chapter 10, 10.4.2 h), delete everything after “Noise” and replace, as follows:

h. Noise Received in the Inner Business Zone

   Compliance with Rule 3C.4.2.

   All activities shall be conducted so as to ensure that noise from the site shall not exceed the following noise limits, at any point within the boundary of any other site in the Business zone:

   At any time 65 dBA L10

   10.00pm to 7:00 am the following day 85 dBA Lmax

76. In Chapter 10, 10.4.2 i) and j), delete everything and replace with [Deleted PC55], as follows:

i. [Deleted PC55]
Noise Received in Residential Zones

All activities shall be conducted so as to ensure that noise from the site shall not exceed the following noise limits, at any point within the boundary of any Residential zone:

7.00 am to 10.00 pm __________________________ 50 dBA L10
10.00 pm to 7.00 am the following day ________ 40 dBA L10 and 60 dBA Lmax

j. [Deleted PC55]

Measurement

Sound levels shall be measured in accordance with New Zealand Standard NZS 6801:1991 Measurement of Sound, and assessed in accordance with NZS 6802:1991 Assessment of Environmental Sound.

77. In Chapter 10, 10.4.2 k), change rule reference as follows:

k. Parking

Sites outside the area shown in Appendix 3B.6.4C shall provide car parking in accordance with Rule 3B.4.5 A2.2.4 (Page 100).

78. In Chapter 10, 10.4.2 l), delete after “...Crossings” and replace, as follows:

l. Visibility at Railway Crossings

Compliance with Rule 3B.4.3 and Appendix 3B.5.

At all road/rail level crossings the areas shown in Appendix 2F (Page 202) shall be kept clear of buildings and of other obstructions which might block sight lines.

79. In Chapter 10, 10.4.2 m), delete after “Access” and replace, as follows:

m. Access to Arterial Routes and Intersecting Roads.

Compliance with Rules 3B.4.2 and 3B.4.3.

i) Vehicle crossings constructed to the arterial routes defined in Appendix 2B (Pages 192 and 193) shall meet the following standards:

a. The minimum sight distance to and from the vehicle crossing shall comply with the criteria in Appendix 2C.

b. The location of the crossing shall comply with Appendix 2C.

ii) Vehicle crossings constructed to roads which intersect with the arterial route defined in Appendix 2B shall be sited in accordance with Appendix 2C.

NB: Constructing vehicle crossings may also require the approval of the road controlling authority.

80. In Chapter 10, 10.4.2 n), delete everything after “Glare” and replace, as follows:

n. Glare
Proposed Manawatu District Plan Chapter 3 District Wide Rules – Section 32 Report

Compliance with Rule 3B.4.4.

i) Exterior lighting shall be directed away from public places and adjoining premises and shall avoid any spill of light which might distract motorists.

ii) Metal cladding or fences shall not be left in such a condition that the reflection of sunlight would cause traffic danger.

81. In Chapter 10, 10.4.2 o) A) and B), delete and amend, as follows:

i. Compliance with Rules 3E.4.1 and 3E.4.2.

A) Signs Affecting Safety

i. Signs shall not detrimentally affect traffic safety or traffic control by creating a visual obstruction or by causing confusion to motorists.

ii. Signs shall not reduce or obstruct the conspicuity of official signs or traffic signals.

iii. Signs shall not be structurally unsound or unsafe.

iv. Any illuminated signs shall not be flashing, animated or trivision.

v. Signs shall not involve revolving lights, lasers or aerial signs.

ii. The only signs permitted on any part of a legal road in the Inner Business zone, are:

B) Signs on Roads

i. Official signs

ii. Official Information boards

iii. No more than one sign placed on the footpath per business premise. Such signs shall not exceed 0.8 square metres in area and shall only be placed adjacent to the kerbline outside the premises which they advertise.

iv. Signs located above the footpath or carriageway, provided that no part of such signs shall be less than 2.5m above the footpath or 5.5m above the carriageway.

82. In Chapter 10, 10.4.2 o) C) , delete:

C) Signs on Private Property

i. The only signs permitted on sites adjoining SH54, are:

a. Temporary signs permitted by Rule A2.2.2. (Page 97).

b. Traffic signs, or signs showing the number of the premises or the location, timetable or other details of any utility or public facility.

c. One pole sign not exceeding 3m² for any permitted use of the premises.

d. Signs written on or affixed to a building

ii. On sites which do not adjoin SH54, any sign which complies with A) above shall be a permitted activity.
83. In Chapter 10, 10.4.7 h), delete everything after “Noise” and replace, as follows:

h. Noise Received in the Inner Business Zone

Compliance with Rule 3C.4.2.

All activities shall be conducted so as to ensure that noise from the site shall not exceed the following noise limits, at any point within the boundary of any other site in the Business zone:

At any time: 65 dBA \( L_{10} \)

10.00pm to 7:00 am the following day: 85 dBA \( L_{\text{max}} \)

84. In Chapter 10, 10.4.7 i) and j), delete everything and replace with [Deleted PC55], as follows:

i. [Deleted PC55]

Noise Received in Residential Zones

All activities shall be conducted so as to ensure that noise from the site shall not exceed the following noise limits, at any point within the boundary of any Residential zone:

7.00am to 10:00 pm: 50 dBA \( L_{10} \)

10.00pm to 7:00 am the following day: 40 dBA \( L_{10} \) and 60 dBA \( L_{\text{max}} \)

j. [Deleted PC55]

Measurement

Sound levels shall be measured in accordance with New Zealand Standard NZS 6801:1991 Measurement of Sound, and assessed in accordance with NZS 6802:1991 Assessment of Environmental Sound.

85. In Chapter 10, 10.4.7 k), delete after “Parking” and replace, as follows:

k. Parking

Sites outside the area shown in Appendix 3B.6-4C shall provide car parking in accordance with Rule 3B.4.5 A2.2.4. (Page 100).

86. In Chapter 10, 10.4.7 l), delete after “…Crossings” and replace, as follows:

l. Visibility at Railway Crossings

Compliance with Rule 3B.4.3 and Appendix 3B.5.

At all road/rail level crossings the areas shown in Appendix 2F (Page 202) shall be kept clear of buildings and of other obstructions which might block sight lines.

87. In Chapter 10, 10.4.7 m), delete after “Access” and replace, as follows:

m. Access to Arterial Routes and Intersecting Roads.

Compliance with Rules 3B.4.2 and 3B.4.3.
i) Vehicle crossings constructed to the arterial routes defined in Appendix 2B (Pages 192 and 193) shall meet the following standards:
   a. The minimum sight distance to and from the vehicle crossing shall comply with the criteria in Appendix 2C.
   b. The location of the crossing shall comply with Appendix 2C.

ii) Vehicle crossings constructed to roads which intersect with the arterial route defined in Appendix 2B shall be sited in accordance with Appendix 2C.

NB—Constructing vehicle crossings may also require the approval of the road controlling authority.

88. In Chapter 10, 10.4.7 n), delete everything after “Glare” and replace, as follows:

n. Glare
   Compliance with Rule 3B.4.4.
   i) Exterior lighting shall be directed away from public places and adjoining premises and shall avoid any spill of light which might distract motorists.
   ii) Metal cladding or fences shall not be left in such a condition that the reflection of sunlight would cause traffic danger.

89. In Chapter 10, 10.4.7 o) A), B) and C), delete everything after “Business Zone” and replace/amend, as follows:

i. Compliance with Rules 3E.4.1 and 3E.4.2.

ii. Signs located above the footpath or carriageway, provided that no part of such signs shall be less than 2.5m above the footpath or 5.5m above the carriageway.

A) Signs Affecting Safety
   i. Signs shall not detrimentally affect traffic safety or traffic control by creating a visual obstruction or by causing confusion to motorists.
   ii. Signs shall not reduce or obstruct the conspicuity of official signs or traffic signals.
   iii. Signs shall not be structurally unsound or unsafe.
   iv. Any illuminated signs shall not be flashing, animated or trivision.
   v. Signs shall not involve revolving lights, lasers or aerial signs.

B) Signs on Roads
   The only signs permitted on any part of a legal road in the Outer Business zone, are:
   i. Official signs
   ii. Official Information boards
   iii. No more than one sign placed on the footpath per business premise. Such signs shall not exceed 0.8 square metres in area and shall only be placed adjacent to the kerbline outside the premises which they advertise.
   iv. Signs located above the footpath or carriageway, provided that no part of such signs shall be less than 2.5m above the footpath or 5.5m above the carriageway.
C) Signs on Private Property
   i. The only signs permitted on sites adjoining SH54, are:
      a. Temporary signs permitted by Rule A2.2.2. (Page 97).
      b. Traffic signs, or signs showing the number of the premises or the location, timetable or other details of any utility or public facility.
      c. One pole sign not exceeding $3m^2$ for any permitted use of the premises.
      d. Signs written on or affixed to a building
   ii. On sites which do not adjoin SH54, any sign which complies with A) above shall be a permitted activity.

90. In Rules Section B4, 4.1.1 A) xi), delete rule reference and replace, as follows:
   xi) Signs which comply with Rule 3E.4.2 B4.4.3.2.

91. In Rules Section B4, 4.1.1 A) xii), delete everything after “Earthworks” and replace, as follows:
   xii) Earthworks which comply with Rules 3D.4.1 and 3D.4.2 ancillary to permitted activities or to approved controlled, restricted discretionary or discretionary activities

92. In Rules Section B4, 4.3.1 E), delete everything after “Noise” and replace, as follows:
   E) Noise Received in the Business Zone

   Compliance with Rule 3C.4.2.

   All activities shall be conducted so as to ensure that noise from the site shall not exceed the following noise limits, at any point within the boundary of any other site in the Business zone:

   At any time ______________________ 65 dBA $L_{10}$
   10.00pm to 7.00am the following day ______ 85 dBA $L_{max}$

93. In Rules Section B4, 4.3.1 F) & G), delete everything and replace with [Deleted PC55], as follows:
   F) [Deleted PC55]

   Noise Received in Residential Zones

   All activities shall be conducted so as to ensure that noise from the site shall not exceed the following noise limits, at any point within the boundary of any Residential zone:

   7.00am to 10:00 pm _______________ 50 dBA $L_{10}$
   10.00pm to 7.00am the following day ___ 40 dBA $L_{10}$ and ___ 60 dBA $L_{max}$

   G) [Deleted PC55]

   Measurement
Sound levels shall be measured in accordance with New Zealand Standard NZS 6801:1991 Measurement of Sound, and assessed in accordance with NZS 6802:1991 Assessment of Environmental Sound.

94. In Rules Section B4, 4.3.1 J), delete rule reference and replace, as follows:
J) Parking

Sites outside the area shown in Appendix 3B.64C shall provide car parking in accordance with Rule 3B.4 SA2.2.4. (Page 100).

95. In Rules Section B4, 4.3.1 K), delete everything after “...Crossings” and replace, as follows:
K) Visibility at Railway Crossings

Compliance with Rule 3B.4.3 and Appendix 3B.5.

At all road/rail level crossings the areas shown in Appendix 1E (Page 202) shall be kept clear of buildings and of other obstructions which might block sight lines.

96. In Rules Section B4, 4.3.1 L), delete everything after “Access” and replace, as follows:
L) Access to Arterial Routes and Intersecting Roads.

Compliance with Rule 3B.4.3

i) Vehicle crossings constructed to the arterial routes defined in Appendix 2B (Pages 192 and 193) shall meet the following standards:
   a) The minimum sight distance to and from the vehicle crossing shall comply with the criteria in Appendix 2C.
   b) The location of the crossing shall comply with Appendix 2C.

ii) Vehicle crossings constructed to roads which intersect with the arterial routes defined in Appendix 2B shall be sited in accordance with Appendix 2C.

NB: Constructing vehicle crossings may also require the approval of the road controlling authority.

97. In Rules Section B4, 4.3.1 M), delete everything after “Glare” and replace, as follows:
M) Glare

Compliance with Rule 3B.4.4.

i) Exterior lighting shall be directed away from public places and adjoining premises and shall avoid any spill of light which might distract motorists.

ii) Metal cladding or fences shall not be left in such a condition that the reflection of sunlight would cause traffic danger.

98. In Rules Section B4, 4.3.2, delete everything and replace, as follows:
4.3.2 Signs in the Business Zone

i. Compliance with Rules 3E.4.1 and 3E.4.2.

ii. Signs located above the footpath or carriageway, provided that no part of such signs shall be less than 2.5m above the footpath or 5.5m above the carriageway.

A) Signs Affecting Safety

i) Signs shall not detrimentally affect traffic safety or traffic control by creating a visual obstruction or by causing confusion to motorists.

ii) Signs shall not reduce or obstruct the conspicuity of official signs or traffic signals.

iii) Signs shall not be structurally unsound or unsafe.

iv) Any illuminated signs shall not be flashing, animated or trivision.

v) Signs shall not involve revolving lights, lasers or aerial signs.

B) Signs on Roads

The only signs permitted on any part of a legal road in the Business zone, are:

i) Official signs

ii) Official Information boards

iii) No more than one sign placed on the footpath per business premise. Such signs shall not exceed 0.8 square metres in area and shall only be placed adjacent to the kerbline outside the premises which they advertise.

iv) Signs located above the footpath or carriageway, provided that no part of such signs shall be less than 2.5m above the footpath or 5.5m above the carriageway.

NB—Signs on roads also need approval from the road controlling authority.

99. In Rules Section B4, 4.3.2 C ii), delete as follows:

C) Signs on Private Property

ii) On sites which do not adjoin SH54, any sign which complies with A) above shall be a permitted activity.

100. In Rules Section B5, 5.1.1 A) xiii), delete rule reference and replace, as follows:

xiii) Signs which comply with Rules 3E.4.1 and 3E.4.2B5.5.3.2.

101. In Rules Section B5, 5.1.1 A) xvi), delete everything after “Earthworks” and replace, as follows:

xvi) Earthworks which comply with Rules 3D.4.1 and 3D.4.2 ancillary to permitted activities or to approved controlled, restricted discretionary or discretionary activities.

102. In Rules Section B5, 5.2.1 A) i), delete rule as follows:

A) The following shall be controlled activities in the Industrial zone, provided that they comply with the standards in Rule 5.3 below:
103. In Rules Section B5, 5.3.1 D), delete everything after “Noise” and replace, as follows:

D) Noise

Compliance with Rule 3C.4.2

All activities shall be so conducted as to ensure that noise from the site shall not exceed the following noise limits, at any point within the boundary of any site zoned Residential or Village, nor within the notional boundary of any rural dwelling:

- 7.00am to 10:00 pm — 55dBA L10
- 10.00pm to 7:00 am the following day — 45dBA L10 and 65dBA Lmax

Sound levels shall be measured in accordance with NZ Standard 6801:1991 Measurement of Sound, and assessed in accordance with NZS 6802:1991 Assessment of Environmental Sound. Note: the notional boundary is defined as a line 20 metres from the facade of any rural dwelling, or the legal boundary where this is closer to the dwelling.

104. In Rules Section B5, 5.3.1 F), delete everything after “Glare” and replace, as follows:

F) Glare

Compliance with Rule 3B.4.4.

- i) Exterior lighting shall be directed away from public places and adjoining premises, and shall avoid any spill of light which might distract motorists.
- ii) Metal cladding or fences shall not be left in such a condition that the reflection of sunlight would cause traffic danger.

105. In Rules Section B5, 5.3.1 I), delete everything after “Parking” and replace, as follows:

l) Parking

Compliance with Rule 3B.4.5.

Refer Rule A2.2.4 (Page 100).

106. In Rules Section B5, 5.3.1 J), delete everything after “…Crossings” and replace, as follows:

j) Visibility at Railway Crossings

Compliance with Rule 3B.4.3 and Appendix 3B.5.

At all road/rail level crossings the areas shown in Appendix 2F (Page 202) shall be kept clear of buildings and of other obstructions which might block sight lines.

107. In Rules Section B5, 5.3.1 K), delete everything after “Access” and replace, as follows:
K) Access to Arterial Routes and Intersecting Roads.

Compliance with Rule 3B.4.3.

i) Vehicle crossings constructed to the arterial routes defined in Appendix 2B (Pages 192 and 193) shall meet the following standards:

a) The minimum sight distance to and from the vehicle crossing shall comply with the criteria in Appendix 2C.

b) The location of the crossing shall comply with Appendix 2C.

ii) Vehicle crossings constructed to roads which intersect with the arterial routes defined in Appendix 2B shall be sited in accordance with Appendix 2C.

iii) Vehicle access to sites from SH54/Aorangi Street, between Gladstone St and Eyre Street, shall be left turn in, left turn out only

NB: Constructing vehicle crossings may also require the approval of the road controlling authority.

108. In Rules Section B5, 5.3.2, delete everything after “Industrial Zone” and replace, as follows:

5.3.2 Signs in the Industrial zone

A) Signs

Compliance with Rules 3E.4.1 and 3E.4.2.

A) Signs Affecting Safety

i) Signs shall not detrimentally affect traffic safety or traffic control by creating a visual obstruction or by causing confusion to motorists.

ii) Signs shall not reduce or obstruct the conspicuity of official signs or traffic signals.

iii) Signs shall not be structurally unsound or unsafe.

iv) Any illuminated signs shall not be flashing, animated or trivision.

v) Signs shall not involve revolving lights, lasers or aerial signs.

B) Signs on Roads

On legal roads in the Industrial Zone, the only signs permitted are:

i) Official signs.

ii) Not more than one “welcome to” sign erected at each entrance to a township.

iii) Official information boards.

iv) No more than one sign placed on the footpath per business premise. Such signs shall not exceed 0.8 square metres in area and shall only be placed outside the premises which they advertise.

v) Signs located above the footpath or carriageway, provided that no part of such signs shall be less than 2.5m above the footpath or 5.5m above the carriageway.

NB: Signs on roads also need approval from the road controlling authority.
C) Signs on Private Property

On sites adjoining SH54, only the following signs will be permitted:

i) Temporary signs permitted by Rule A2.2.2. (Page 97).

ii) Traffic signs, or signs showing the name of the road, number of the premises or the location, timetable or other details of any utility or public facility.

iii) One free-standing sign not exceeding 3m² for any permitted use of the premises.

iv) Any signs written on or affixed to a building.

On sites which do not adjoin SH54, any sign which complies with A) above shall be permitted.

109. In Rules Section B6, 6.1.1 A) vi), delete rule reference and replace, as follows:

vi) Signs which comply with Rules 3E.4.1 and 3E.4.2 Rule 6.2.2 below.

110. In Rules Section B6, 6.1.1 A) viii), delete everything after “Earthworks” and replace, as follows:

viii) Earthworks which comply with Rules 3D.4.1 and 3D.4.2 ancillary to permitted activities or to approved controlled, restricted discretionary or discretionary activities.

111. In Rules Section B6, 6.1.1 C), delete everything after “Noise” and replace, as follows:

C) Noise

Compliance with Rule 3C.4.2.

i) All activities shall be conducted so as to ensure that noise from the site shall not exceed the following noise limits, at any point within the boundary of any Residential zone or Village zone:

7.00am to 10:00pm ___________ 45dBA L10

10.00pm to 7:00am the following day ___________ 35dBA L10 and 55dBA Lmax

ii) The foregoing limits shall not apply to recreational activities that do not involve motorsport, gunfire or amplified music.

iii) Sound levels shall be measured in accordance with New Zealand Standard NZS 6801:1991 Measurement of Sound and assessed in accordance with NZS 6802:1991 Assessment of Environmental Sound.

112. In Rules Section B6, 6.1.1 D), delete everything after “Car Parking” and replace, as follows:

D) Car Parking

Compliance with Rule 3B.4.5.

i) Parking areas shall not be located within 3m of the front boundary of the site, or within 4.5m of any property-zoned Residential or Village.
Proposed Manawatu District Plan Chapter 3 District Wide Rules – Section 32 Report

ii) Where a car park is located within 25m of a property zoned Residential or Village, the car park shall be screened from that property by a solid screen wall or fence at least 1.5m high.

113. In Rules Section B6, 6.1.1 E), delete everything after “…Crossings” and replace, as follows:
E) Visibility at Railway Crossings

Compliance with Rule 3B.4.3 and Appendix 3B.5.

At all road/rail level crossings the areas shown in Appendix 2F (Page 202) shall be kept clear of buildings and of other obstructions which might block sight lines.

114. In Rules Section B6, 6.1.1 F), delete everything after “Access” and replace, as follows:
F) Access to Arterial Routes and Intersecting Roads.

Compliance with Rule 3B.4.3.

i) Vehicle crossings constructed to the arterial routes defined in Appendix 2B (Pages 192 and 193) shall meet the following standards:

a) The minimum sight distance to and from the vehicle crossing shall comply with the criteria in Appendix 2C.

b) The location of the crossing shall comply with Appendix 2C.

ii) Vehicle crossings constructed to roads which intersect with the arterial routes defined in Appendix 2B shall be sited in accordance with Appendix 2C.

NB: Constructing vehicle crossings may also require the approval of the road controlling authority.

115. In Rules Section B6, 6.1.1 G), delete everything after “Glare” and replace, as follows:
G) Glare

Compliance with Rule 3B.4.4.

i) Exterior lighting shall be directed away from public places and adjoining premises and shall avoid any spill of light which might distract motorists.

ii) Floodlighting of sports areas shall not operate between 10.00pm and 7.00am.

iii) Metal cladding or fences shall not be left in such a condition that the reflection of sunlight would cause traffic danger.

116. In Rules Section B6, 6.2.2, delete everything after “Recreation Zone” and replace, as follows:

6.2.2 Signs in the Recreation Zone

Signs

Compliance with Rules 3E.4.1 and 3E.4.2.

A) Signs Affecting Safety
Proposed Manawatu District Plan Chapter 3 District Wide Rules — Section 32 Report

i) Signs shall not detrimentally affect traffic safety or traffic control by creating a visual obstruction or by causing confusion to motorists.

ii) Signs shall not reduce or obstruct the conspicuity of official signs or traffic signals.

iii) Signs shall not be structurally unsound or unsafe.

iv) Any illuminated signs shall not be flashing, animated or trivision.

v) Signs shall not involve revolving lights, lasers or aerial signs.

B) Signs on Roads

On legal roads in the Recreation zone, the only signs permitted are:

i) Official signs

ii) Not more than one “welcome to” sign erected at each entrance to a township.

iii) Official information boards.

NB: Signs on roads also need approval from the road controlling authority

C) Any sign which does not comply with A) and B) above shall be a non-complying activity.

117. In Rules Section B7, 7.1.1 A) vi), delete rule reference and replace, as follows:

vi) Signs which comply with Rules 3E.4.1 and 3E.4.2 B3.3.2 (Page 130).

118. In Rules Section B7, 7.1.1 A) viii), delete everything following “Earthworks” and replace, as follows:

viii) Earthworks which comply with Rules 3D.4.1 and 3D.4.2, ancillary to permitted activities or to approved-controlled, restricted discretionary or discretionary activities.

119. In Rules Section B7, 7.3.1 D), delete everything following “…Crossings” and replace, as follows:

D) Visibility at Railway Crossings

Compliance with Rule 3B.4.3 and Appendix 3B.5.

At all road/rail level crossings the areas shown in Appendix 2F (Page 202) shall be kept clear of buildings and of other obstructions which might block sight lines.

120. In Rules Section B7, 7.3.1 E), delete everything following “Access” and replace, as follows:

E) Access to Arterial Routes and Intersecting Roads

Compliance with 3B.4.3.

i) Vehicle crossings constructed to the arterial routes defined in Appendix 2B (Pages 192 and 193) shall meet the following standards.

a) Vehicle crossings shall only be constructed if there is no alternative legal access to another road.

b) The minimum sight distance to and from vehicle crossings on arterial routes shall comply with the criteria in Appendix 2C.
e) The location of the crossing shall comply with Appendix 2C.
d) Use of the crossing shall not exceed 100 car equivalent vehicle movements per day.
e) If use of the vehicle crossing exceeds 30 car equivalent vehicle movements per day, the vehicle crossing shall be formed to the standards shown in Appendix 2E (Pages 200 and 201).
f) Car equivalent vehicle movements shall be calculated using Appendix 2C.
ii) Vehicle crossings constructed to roads which intersect with the arterial routes defined in Appendix 2B shall be sited in accordance with Appendix 2C.

NB: Constructing vehicle crossings may also require the approval of the road controlling authority.

121. In Rules Section B7, 7.3.1 G), delete everything following “Noise” and replace, as follows:

G) Noise Received in Residential Zones or Village Zones

Compliance with Rule 3C.4.2.

All activities shall be so conducted as to ensure that noise from sites in the Flood Channel zones shall not exceed the following noise limits, at any point within the boundary of any site zoned Residential or Village.

7.00am to 10.00pm ———————————— 55 dBA L10

10.00pm to 7.00am the following day 45 dBA L10 and 65 dBA Lmax

122. In Rules Section B7, 7.3.1 H) & I), delete everything and replace with [Deleted PC55], as follows:

H) [Deleted PC55]

Noise Received at Rural Dwellings

All activities shall be conducted so as to ensure that noise from the site shall not exceed the following noise limits, at any point within the notional boundary of any rural dwelling not on the subject site:

6.00am to 10.00pm ———————————— 55 dBA L10

10.00pm to 6.00am the following day 45 dBA L10 and 65 dBA Lmax

Note: the notional boundary is defined in NZS 6802: 1991 Assessment of Environmental Sound as a line 20 metres from the facade of any rural dwelling, or the legal boundary where this is closer to the dwelling.

I) [Deleted PC55]

Exemptions and Measurement of Noise

i) The foregoing noise limits shall not apply to activities of a limited duration required by normal agricultural practice, such as harvesting. Such activities shall be no louder than necessary, and shall comply with the requirements of Section 16 of the Act.
Proposed Manawatu District Plan Chapter 3 District Wide Rules – Section 32 Report

ii) Sound levels shall be measured in accordance with New Zealand Standard NZS 6801: 1991 Measurement of Sound and assessed in accordance with NZS 6802: 1991 Assessment of Environmental Sound.

123. In Rules Section B7, 7.3.1 M), delete everything after “Glare” and replace, as follows:
M) Glare

Compliance with Rule 3B.4.4.

i) Exterior lighting shall be directed away from public places and adjoining premises and shall avoid any spill of light which might distract motorists.

ii) Metal cladding or fences shall not be left in such a condition that the reflection of sunlight would cause traffic danger.

124. In Rules Section B7, 7.5.1 A) vi), delete everything and replace with [Deleted PC55], as follows:

vi) [Deleted PC55] Relocating previously used buildings from another site, except in the case of dwellings to be sited within the Air Noise Area (refer Appendix 3A, Page 203).

125. In Rules Section B8, 8.1.1 A) vii), delete everything after “earthworks” and replace, as follows:

vii) Earthworks which comply with Rules 3D.4.1 and 3D.4.2, ancillary to permitted activities or to approved controlled, restricted discretionary or discretionary activities.

126. In Rules Section B8, 8.3.1 I) delete everything after “Signs” and replace, as follows:

I) Signs

Compliance with Rules 3E.4.1 and 3E.4.2, except as provided for in Rule 8.3.1(I)(i) to (iii), below.

Signs affecting safety

i) Signs shall not detrimentally affect traffic safety or traffic control by creating a visual obstruction or by causing confusion to motorists.

ii) Signs shall not reduce or obstruct the conspicuity of official signs.

iii) Signs shall not be structurally unsound or unsafe.

iv) Any illuminated signs shall not be flashing, animated or trivision.

v) Signs shall not involve revolving lights, lasers, or aerial signs.

Signs on roads

i) On legal roads in the Manfeild Park Zone, the only signs permitted are:

a. Official signs.

b. Official information boards.

Note: Signs on roads also need approval from the road controlling authority.

Signs in the Manfeild Park Zone
Proposed Manawatu District Plan Chapter 3 District Wide Rules – Section 32 Report

i) One free-standing sign not exceeding 3m² for the general advertising of events/activities at Manefield Park may be erected and maintained onsite at the South Street, Rata Street and Kawakawa Road entry points.

ii) In addition to the general advertising sign allowed by rule i) above, one permanent advertising sign of 3m² in size onsite adjacent to Kawakawa Road and South Street indicating current or forthcoming events.

iii) Traffic signs, or signs showing the name of the road, number of the premises or the location, timetable or other details of any utility or public facility.

127. In Rules Section B8, 8.3.1 K) i), delete rule reference and replace, as follows:

i) Any building construction, alteration or development must provide car parking in accordance with section Rule 3B.4.5 A2-2.4 of the District Plan.

128. In Rules Section B8, 8.3.1 L) ii), and ii) b. and c., delete rule reference and replace, as follows:

ii) Vehicle crossings constructed to arterial roads defined in Appendix 3B.1 2B (pages 192 and 193) shall meet the following standards:

a. Such vehicle crossings shall only be constructed if there is no alternative legal access to another road.

b. The minimum sight distance to and from the vehicle crossing shall comply with the criteria in Appendix 3B.3 2C.

c. The location of the crossing shall comply with Appendix 3B.3, 2C.

d. Use of the crossing shall not exceed 100 car equivalent vehicle movements per day.

e. If use of the vehicle crossing exceeds 30 car equivalent vehicle movements per day, the vehicle crossing shall be formed to the standards shown in Appendix 3B.32E.

f. Car equivalent vehicle movements shall be calculated using Appendix 3B.42E.

NB – Constructing vehicle crossings may also require the approval of the road controlling authority.

129. In Rules Section B9, 9.2.1 A) viii), add the following after “Signs”:

viii) Signs which comply with Rules 3E.4.1 and 3E.4.2.

130. In Rules Section B9, 9.2.1 A) ix), delete everything after “Earthworks” and replace, as follows:

ix) Earthworks which comply with Rules 3D.4.1 and 3D.4.2, ancillary to permitted activities or to approved controlled, restricted discretionary or discretionary activities.

131. In Rules Section B9, 9.3.1 l), delete everything after “Signs” and replace, as follows:

i) Signs

Compliance with Rule 3C.4.1, except as provided for by Rule 9.3 i and ii, below.

A) Signs affecting safety
i) Signs shall not detrimentally affect traffic safety or traffic control by creating a visual obstruction or by causing confusion to motorists.

ii) Signs shall not reduce or obstruct the conspicuousness of official signs or traffic signs.

iii) Signs shall not be structurally unsound or unsafe.

iv) Any illuminated signs shall not be flashing, animated or trivision.

v) Signs shall not involve revolving lights, lasers, or aerial signs.

B) Signs on roads

i) On legal roads in the Special Development Zone, the only signs permitted are:

a. Official signs.

b. Official information boards.

c. No more than one sign placed on the footpath per site. Such signs shall not exceed 0.8m² in area and shall only be placed outside the premises which they advertise.

d. Signs located above the footpath or carriageway, provided that no part of such signs shall be less than 2.5m above the footpath or 5.5m above the carriageway.

NB Signs on roads also need approval from the road controlling authority.

C) Signs in the Special Development Zone

i) All signs must be attached to and within the profile of a building, except for one free-standing sign not exceeding 3m² for any permitted use of the site.

ii) Traffic signs, or signs showing the name of the road, number of the premises or the location, timetable or other details of any utility or public facility.

132. In Rules Section B9, 9.3.1 K) iv) and v), delete rule reference and replace, as follows:

iv) Any building construction, alteration or development must provide car parking in accordance with section 3B.4.5 A2-2.4 of the District Plan.

v) The minimum sight distance to and from the vehicle crossing and intersections shall comply with the criteria in Appendix 3B.3 2C.

133. In Rules Section C1, 1.3.1 A), ii amend the appendix reference, as follows:

ii) Any Rural zone or Flood Channel zone subdivision which does not meet the controls in Rule C2 2.4 (Pages 154-158), on land within a nodal area, but only if the allotments being created do not have frontage to an arterial route (Appendix 3B.1 2B, Pages 192 and 193):

134. In Rules Section C2, 2.4.1 I) i) amend the appendix reference, as follows:

i) All allotments shall have at least one place for a vehicular access point which meets the sight distance requirements in Appendix 3B.3 2C (Page 194). This access point may be shared with other property, provided that any necessary legal arrangements are entered into.
135. In Rules Section C2, 2.4.1 K) amend the appendix reference, as follows:
Spacing and visibility guidelines – Refer Appendix 3B.3.C, Page 194

136. In Appendix 2, delete the contents of Appendices 2A, 2B, 2B1, 2C, 2D, 2E, and 2F and include reference [Deleted PC55] after all appendix headings, as follows:
Appendix 2B [Deleted PC55] Manawatu District Road Hierarchy
Appendix 2B1 [Deleted PC55] Feilding Urban Growth Road Cross Sections
Appendix 2C [Deleted PC55] Sight distances and access spacing
Appendix 2D [Deleted PC55] Measurement of sight distances etc
Appendix 2E [Deleted PC55] Accessway Formation
Appendix 2F [Deleted PC55] Traffic sight lines at road/rail level crossings

137. In all sections of the Plan amend references to Appendices 2B, 2B1, 2C, 2D, 2E, 2F, and 4C as follows:
Amend reference for Appendix 2B to Appendix 3B.1
Amend reference for Appendix 2B1 to Appendix 3B.2
Amend reference for Appendix 2C to Appendix 3B.3
Amend reference for Appendix 2D to Appendix 3B.3
Amend reference for Appendix 2E to Appendix 3B.3
Amend reference for Appendix 2F to Appendix 3B.5
Amend reference for Appendix 4C to Appendix 3B.6
Appendix 4 – Noise Report
SECTIONAL DISTRICT PLAN NOISE REVIEW
PART 1

For

MANAWATU DISTRICT COUNCIL

Nigel Lloyd
Director of Acoustic Services

Mobile: 0274 480 282
E-mail: nigel@acousafe.co.nz
## CONTENTS

1. Introduction .................................................................................................................. 1
2. Existing District Plan Rules ........................................................................................ 1
3. New Zealand Standards ............................................................................................... 1
4. Noise Limits Across the District .................................................................................. 2
5. Residential & Village Zone ......................................................................................... 3
6. Rural and Rural Lifestyle Zone .................................................................................... 3
   6.1 Noise Limits ............................................................................................................ 3
   6.2 Notional Boundary ................................................................................................ 4
7. Inner and Outer Business Zone .................................................................................... 5
8. Industrial Zone ............................................................................................................. 5
9. Recreation Zone ........................................................................................................... 5
10. Measurement and Assessment Methods ..................................................................... 5
11. Recommended Noise Performance Standards ......................................................... 8
12. Child-care Centres ..................................................................................................... 9
13. Temporary Military Training Activities ..................................................................... 11
14. Reverse Sensitivity .................................................................................................... 14
   14.1 State Highways ..................................................................................................... 14
   14.2 Railways ............................................................................................................... 18
15. Conclusions ............................................................................................................... 20
1 Introduction

Manawatu District Council (the Council) is undertaking a District Plan review. As part of that review Acousafe has been asked to recommend how the noise rules should be upgraded in line with current New Zealand Standards and best practice. Acousafe has advised separately on the different aspects of the Plan as instructed by the Council and this report is Part 1 of that advice.

In Part 1 we consider the operative District Plan noise rules and make recommendation for updating the rules to reflect the latest New Zealand Standards and the appropriate limits that should apply.

Specific areas have been identified by the Council seeking Acousafe’s recommendations in each case. These include:

- Rail Noise,
- State Highway Noise,
- Child-care centres, and
- Temporary military training

Part 2 of our recommendations cover special activities (rural, windfarm and dog kennels) and reverse sensitivity matters for wind farms and quarries.

A separate report has been provided for Airport Noise at the three different airports in the District and for the noise insulation considerations for flats and apartments in the Feilding Inner Business Area. The noise insulation requirements for the Inner Business Area are already included in the District Plan.

2 Existing District Plan Rules

The relevant noise standards for permitted and controlled activities in the District Plan are included as Appendix A of this review. In addition to the existing zones there are the new proposed Inner and Outer Business Zones.

The Urban Area performance standards are strict. The \( L_{10} \) limits are some 10dB more stringent than the desirable upper limits of acceptability recommended by NZS6802:1991 *Assessment of Environment Sound* (the version of the Standard referred to by the District Plan). The \( L_{\text{max}} \) limit is up to 20dB stricter than the upper limit in the Standard (although this can depend on the background sound level in the area of interest).

The \( L_{10} \) limits for the Industrial Zone, applied at sites zoned Residential or Village are at the maximum upper guidelines in NZS6802:1991.

3 New Zealand Standards

It is proposed to apply the noise limits in accordance with NZS 6802:2008 *Acoustics - Environmental Noise (NZS 6802:2008)* including changing to \( L_{\text{Aeq}} \) rather than the existing \( L_{10} \) standard. The District Plan noise descriptors are currently principally expressed as \( L_{10} \) and \( L_{\text{max}} \). \( L_{10} \) is a statistical method of
measuring noise being the level that is equalled or exceeded for 10% of the time. This review proposes that $L_{Aeq}$ be used for each of the Zones. $L_{Aeq}$ is the time-average A-weighted sound pressure level which is based on an energy average. For road traffic and noise of a similar characteristic $L_{10}$ is generally 2-4dBA greater than $L_{Aeq}$ for the same period. $L_{max}$ is to be retained (expressed as $L_{Amax}$) and this is the maximum sound level in any measurement period.

Replacing $L_{10}$ directly with $L_{Aeq}$ is likely to result in the noise controls being slightly less strict depending on the time variation of the sound source under investigation.

4 Noise Limits Across the District

Consideration has been given to applying noise limits specifically for the receiving environment. For example, a night-time noise limit of 40dB $L_{Aeq}$ could be established for any site in the Residential Zone irrespective of whether the source of the noise is an activity in an Industrial Zone, Rural Zone or in the Residential Zone itself. This is not considered to be a reasonable approach because there will be a higher amenity enjoyed in the centre of a Residential Zone (where it may be distant from busy roads and commercial activities) to that at the interface of the Business and Industrial Zones. Residents that live at the interface of a Zone that provides for commercial activities should not expect the same level of protection as those that live in areas that are intrinsically quiet.

Another option that has been considered is to place all of the noise limits in a single table. This requires rationalising some of the times and limits to make such a table practical. For example the Rural Zone night-time noise limits end at 6am rather than 7am as is generally the case in other Zones. In discussion with Council it has been decided to undertake this rationalisation which provides for greater consistency across the Zones.

The Residential Zone interfaces of Industrial, Business and Rural Zones have similar noise limits and it is therefore proposed to amalgamate these.

The recommended noise guidelines in NZS6802:2008 introduce ‘shoulder’ limits that apply in the evening between the daytime and night-time limits, which often have a 10dBA difference between them. The background sound levels in an area are normally quiet at night with a sudden onset of sound at daybreak with generally higher background sound levels during the day. These start to tail off in the evening as sound levels gradually reduce before becoming quiet again towards midnight. The pattern can vary depending on the remoteness of an area but generally holds true.

If the daytime noise limit applies right up to 10pm then this can allow noise that intrudes onto the background sound levels as they gradually get quieter. This can cause a nuisance to people at important times of the day. People are often at home during the evening and relaxing. A shoulder criterion allows the evening noise limit to step down from (say) 55dB $L_{Aeq}$ during the day to 50dB $L_{Aeq}$ in the evening (after 7pm) before becoming 45dB $L_{Aeq}$ after 10pm. We believe that this shoulder criterion is a reasonable approach that should be
considered, where appropriate, for the noise limits in the Manawatu District Plan. It could not be used where there is only a 5dB difference between the daytime and night-time $L_{Aeq}$ limit.

5 Residential & Village Zone

The noise performance standard in Rule 1.3.4 (& Rule 2.3.2(H)) currently applies (according to the title of the section) to home occupations and non-residential activities. Consideration has been given to providing an interim limit (of say 40dBA) for an evening shoulder period. This then provides a progression between the daytime and night-time limits. However, as the daytime limit is currently 45dBA $L_{10}$, this is considered strict enough to control evening noise levels so that they do not become an issue. A strict noise limit provides a high level of protection for residential amenity in the Residential Zone and we consider this to be appropriate. It is proposed that the existing noise limits in the Residential Zone be retained and changed from $L_{10}$ to $L_{Aeq}$. It is proposed to alter the wording of the rule to better reflect its intention to make it clear that it does not apply to residential activities but to home occupations and to non-residential activities. A similar rule would be adopted for the Village Zone (if it is to be retained).

Issues have arisen in other Districts with residential heat pumps and mechanical plant noises which can readily be controlled using the District Plan noise limits. Discussion with the Council indicates that this is not an issue in Manawatu. It is therefore recommended that all residential activities, including mechanical plant, continue to be excluded from these noise rules.

6 Rural and Rural Lifestyle Zone

6.1 Noise Limits

The Operative District Plan Rural Zone noise limits (3.3.1 (K) & (L)) (see Appendix A) are currently the least stringent recommended by NZS6802:1991, except for the night-time $L_{max}$ which is 10 dB stricter. The night-time limits currently cease at 6.00 am in the Rural Zone rather than 7.00 am in the Residential Zone. Normal rural type activities are exempt from the noise rules so these rules are intended to control non-rural type activities or activities that are ancillary in the Rural Zone. In updating the Rural Zone noise limits it is recommended that the night-time limits are made 5 decibels stricter than the Operative Limits (which are also the least strict noise limits recommended by NZS6802:2008). The rural environment generally has quiet residual sound levels at night once the noise from local roads falls away and after dark, once wildlife sounds reduce. Noise limits of 40 dB $L_{Aeq(15 mins)}$ and 70 dB $L_{Amax}$ reflect this level of existing quietness where ambient sound levels are generally less than about 30 dBA. These limits do not apply to farming activities (which will need to be undertaken reasonably) but to other activities that might sensibly develop in the rural zone, such as transport depots, cool stores and quarries, to name but a few. On that basis the stricter noise limits are designed to provide
a more appropriate protection to sleep given the expected quiet residual sound levels in the rural areas.

The period between 6.00 am and 7.00 am is important for sleep protection (for those who seek to sleep at those times) and as such it is recommended that the Rural Zone night-time limits are applied until 7.00 am.

It is proposed to retain the daytime numerical values for the Rural Zone between the hours of 7am and 7pm while adopting the $L_{Aeq}$ descriptor to replace $L_{10}$. As discussed above the shoulder noise limit of 50 dB $L_{Aeq}$ is recommended between 7.00 pm and 10.00 pm.

The Rural Zone noise rule exemptions B3.3.1M currently has a note that explains that the rural noise performance standards shall not apply to aircraft noise associated with operational activities at airports and this should continue. Such operational activities would include aircraft take-offs and landings and taxiing and run-ups.

### 6.2 Notional Boundary

The notional boundary is a line 20 metres from the side of a rural dwelling or the legal boundary, where this is closer to the dwelling. The use of the notional boundary technique enables a Council to apply the residential protection criterion at the appropriate location. However, the use of notional boundary concept is poor as a future planning tool because it does not protect land in a situation where an owner has the existing right to build a noise sensitive activity such as a dwelling. Section 8.4.4 of NZS6802:2008 discusses the locations at which noise emissions from a site are required to comply with a noise limit and states “whether rural land not used for human habitation deserves protection against noise may depend on the suitability of the land for future residential development and the existing or future potential recreational amenity of the land”.

By applying the noise limits at the site boundary this protects the land itself from external noise and allows a further assessment to be made of the future use of neighbouring land to determine whether there any conflicts between a neighbour’s right to construct a noise sensitive activity against the need, if any, to exceed District Plan limits on that land.

There are a number of Councils that apply the noise limits at the site boundary in Rural Zones including Palmerston North City, South Taranaki District, and Hutt City. Ashburton District Council only applies the “notional boundary” concept to large rural blocks, not small scale rural/residential areas. In Wellington the City District Plan applies the least strict residential noise limits at the rural site boundary while applying strict noise limits at the ‘Notional Boundary’ (which is called the conceptual boundary in that case).

It is recognised that there is a tension with respect to where the noise limit should apply in rural areas, and NZS6802:2008 recommends that the notional boundary be used. However, to avoid uncertainty with respect to future planning provisions, then it is recommended that the rural noise limits apply at...
the neighbouring land site boundary rather than at the notional boundary of dwellings.

7 Inner and Outer Business Zone

It is proposed that the Operative District Plan noise limits that apply between sites within the Inner and Outer Business Zone of 65dBA $L_{10}$ are adopted in this review with the descriptor changed to $L_{Aeq}$. The limit applies on a 24 hour basis. A separate recommendation was made to the Council regarding noise insulation of flats and apartments in the Inner Business Zone for the Town Centre (PC46). The night-time $L_{Amax}$ limit of 85 dB would continue unchanged.

Separate noise limits for the Inner and Outer Business Zone activities apply at the Residential Zone interface. These limits are 5 dB stricter than the limits that apply at the Industrial and Rural Zone interfaces. We recommend that these limits be relaxed to the least stringent recommended by NZS6802:2008. These limits are appropriate for both Business Zone/Residential Zone interfaces, given the relatively busy environment that is desired with raised ambient sound levels.

8 Industrial Zone

There are no internal site boundary noise limits proposed for the Industrial Zone and this is to encourage noisier industrial activities and heavy truck movements etc., to locate in the Industrial Zone. It is often difficult for noisier industries to meet reasonable noise limits at the nearby (industrial) site boundary.

Noise limits are then only applied at the Industrial Zone interface with Residential and Rural Zones. The limits represent the maximum guideline criteria in NZS 6802:2008 above which residential amenity could suffer significant impact. Again we propose the addition of the evening shoulder transition limit as included in NZS6802:2008.

9 Recreation Zone

The Recreational Zone limits are strict but these do not apply to recreational activities other than those involving motorsport, gunfire or amplified music (that are not covered by existing consents). This is a sensible approach which should control the majority of activities to acceptable levels.

It is anticipated that recreation areas become quiet at night and it is recommended that the night-time noise limits (10.00 pm to 7.00 am) becomes 40 dB $L_{Aeq}$ and 70 dB $L_{Amax}$ where this is required to for sleep protection in neighbouring Residential or Village Zones.

10 Measurement and Assessment Methods

The following is recommended as the procedure for measurement and assessment of noise in accordance with the 2008 versions of the Standards.
Sound levels shall be measured at any point within a qualifying site other than the site on which the activity is situated. Sound levels shall be measured in accordance with the provisions of NZS 6801:2008 *Acoustics – Measurement of environmental sound*, and assessed in accordance with the provisions of NZS 6802:2008 *Acoustics – Environmental noise except that where reference is made to notional boundary then site boundary is used for the purposes of the Plan when determining compliance with noise limits.*

The following activities are not appropriately controlled by reference to the Proposed Noise Limits Rule Table [xxx]:

i. Aircraft being operated during or immediately before or after flight which shall be managed in accordance with NZS6805:1992 *Airport noise management and land use planning*. Noise from Helicopters using separate helicopter landing areas that are not part of an airport will be assessed according to NZS 6807:1994 *Noise Management and Land Use Planning for Helicopter Landing Areas*.

ii. Vehicles being driven on a road. The impacts of new and altered Stated Highways shall be determined in accordance with the noise descriptors as set out in NZS6806:2010 *Acoustics – Road-traffic noise – New and altered roads* and the mitigation works determined in accordance with that Standard.

iii. Construction noise where this is covered by NZS6803:1999 *Acoustics – Construction noise*.

iv. The following types of noise are controlled by the general provisions of the Resource Management Act 1991. They fall outside the scope of NZS6802:2008 and are not controlled by other Standards:
   a) Trains, other than when being tested (when stationary), maintained, loaded or unloaded.
   b) Impulsive noise such as gunfire or blasting.
   b) Dog barking noise.

v. Rural primary production activities are exempt from the noise limits. This exemption does not apply to intensive farming activities.

vi. Crowd noise on any site zoned Recreation is exempt from the noise limits.

vii. Sirens used for emergency purposes are exempt from the noise limits.

The wording “at any point within any site” is recommended by NZS 6801:2008. The reason for this is set out in 8.4.3 as follows:

“In all circumstances measurement locations should be stipulated as ‘at any point within’ a specified site or zone. Measurement ‘at’, ‘about’ or ‘on’ or ‘beyond’ the boundary should not be stipulated. Measurements can be obstructed or influenced by objects, for example, ditches, buildings, fences, and..."
the ability to move to another location on a receiving site, that is, ‘at any point within a site’, is essential.

It is recommended therefore that the wording of NZS6802:2008 “at any point within any site” is adopted to direct where noise is to be measured.

Noise generated by transportation, construction and windfarm activities, and also impulsive noises are identified in NZS6802:2008 as requiring special techniques in their assessment that are generally outside the scope of that Standard. Thus while they are not appropriately controlled by reference to the Proposed Noise Limits Rule Table [xxx] they shall either be controlled by reference to other noise standards or by the general noise provisions of the Resource Management Act 1991.

The farming and recreation activities (including crowd noise) are transient activities that can be noisy from time to time. Higher noise levels generated by seasonal farming activities and sports events at parks are reasonable in appropriate circumstances (such as with seasonal farming activities). Unreasonable or excessive noise can be controlled by reference to the specific provisions of the RMA (Section 16 and Section 327).
11 Recommended Noise Performance Standards

The Rules are recommended as follows:

**Activities in:**

The Residential Zone and the Village Zone

Received in the Residential Zone and the Village Zone

Sound emissions from any home occupation and any non-residential activity at any point within any other site shall not exceed the following:

- **7.00 am to 10.00 pm**: 45 dB $L_{Aeq(15mins)}$
- **10:00 pm to 7:00 am**: 35 dB $L_{Aeq(15mins)}$
- **10:00 pm to 7:00 am**: 55 dB $L_{Am}$

**Activities in:**

The Inner and Outer Business Zone; and

The Industrial Zone

Received in the Rural Zone, Residential Zone and the Village Zone

All activities shall not exceed the following at any point within any Residentially Zoned Site or Village Zoned site:

- **7.00 am to 7.00 pm**: 55 dB $L_{Aeq(15mins)}$
- **7:00 pm to 10.00 pm**: 50 dB $L_{Aeq(15mins)}$
- **10:00 pm to 7:00 am**: 45 dB $L_{Aeq(15mins)}$
- **10:00 pm to 7:00 am**: 75 dB $L_{Am}$

**Activities in:**

The Inner and Outer Business Zone

Received in the Inner and Outer Business Zone

All activities shall not exceed the following at any point within any other site in the Business Zone:

- **At any time**: 65 dB $L_{Aeq(15mins)}$
- **10:00 pm to 7:00 am**: 85 dB $L_{Am}$

**Activities in:**

The Rural Zone

Received in the Rural Zone, Residential Zone and the Village Zone

All activities shall not exceed the following at any point within any other Rurally Zoned & Rural Residentially Zoned Site:

- **7.00 am to 7.00 pm**: 55 dB $L_{Aeq(15mins)}$
- **7.00 pm to 10.00 pm**: 50 dB $L_{Aeq(15mins)}$
- **10:00 pm to 7:00 am**: 40 dB $L_{Aeq(15mins)}$
- **10:00 pm to 7:00 am**: 70 dB $L_{Am}$
Activities in:

The Recreation Zone

Received in the Residential Zone and Village Zone

All activities shall not exceed the following at any point within any other Residential Zoned or Village Zoned Site:

- 7.00 am to 7.00 pm: 55 dB $L_{Aeq(15mins)}$
- 7.00 pm to 10.00 pm: 50 dB $L_{Aeq(15mins)}$
- 10:00 pm to 7:00 am: 40 dB $L_{Aeq(15mins)}$
- 10:00 pm to 7:00 am: 70 dB $L_{Amax}$

These Rules are numerically summarised in the following Table [xxx]:

<table>
<thead>
<tr>
<th>Activity Zone</th>
<th>Time Period</th>
<th>Receiving Zone – measured at any point within the boundary of any other site in the zone</th>
</tr>
</thead>
</table>
| Residential & Village | 7 am – 10 pm | 45 dB $L_{Aeq(15mins)}$
|                       | 10 pm – 7 am  | 35 dB $L_{Aeq(15mins)}$
|                       | 10 pm – 7 am  | 55 dB $L_{Amax}$ |
| Rural & Rural Lifestyle | 7 am – 7 pm  | 55 dB $L_{Aeq(15mins)}$
|                       | 7 pm – 10 pm  | 50 dB $L_{Aeq(15mins)}$
|                       | 10 pm – 7 am  | 40 dB $L_{Aeq(15mins)}$
|                       | 10 pm – 7 am  | 70 dB $L_{Amax}$ |
| Inner and Outer Business | 7 am – 7 pm  | 55 dB $L_{Aeq(15mins)}$
|                       | 7 pm – 10 pm  | 50 dB $L_{Aeq(15mins)}$
|                       | 10 pm – 7 am  | 45 dB $L_{Aeq(15mins)}$
|                       | 10 pm – 7 am  | 75 dB $L_{Amax}$ |
| Industrial | 7 am – 7 pm  | 55 dB $L_{Aeq(15mins)}$
|                       | 7 pm – 10 pm  | 50 dB $L_{Aeq(15mins)}$
|                       | 10 pm – 7 am  | 45 dB $L_{Aeq(15mins)}$
|                       | 10 pm – 7 am  | 75 dB $L_{Amax}$ |
| Recreation | 7 am – 7 pm  | 55 dB $L_{Aeq(15mins)}$
|                       | 7 pm – 10 pm  | 50 dB $L_{Aeq(15mins)}$
|                       | 10 pm – 7 am  | 40 dB $L_{Aeq(15mins)}$
|                       | 10 pm – 7 am  | 70 dB $L_{Amax}$ |

12 Child-care Centres

The Council has received numerous complaints regarding noise from Child-care Centres.

It has become popular to establish Child-care Centres and the tendency is for these to be in converted dwellings in residential areas. Child-care Centres tend to operate for long hours, possibly opening early in the morning and closing late in the evening with children being dropped off and collected throughout the day. Child-care Centre noise relates to the client and staff vehicles arriving and departing, activity noise at the centre and the sounds of children.

Outdoor play activity at Child-care Centres is normally different to that from schools in that children play in and around the centre for longer periods. School play noise tends to be more intense as children are released to play for shorter
periods. When schoolchildren expend their energy during a short break this tends to create more noise.

Outdoor children noise can cause annoyance at Child-care Centres because of boisterous children or children that become distressed. Well trained staff should be able to use techniques to ensure that children noise is managed to ensure it does not become an undue nuisance to neighbours.

Noise problems have also resulted from use of equipment and from activities such as running on wooden decks for example. Children running, dragging equipment or driving hard wheeled tricycles on timber decks can generate surprisingly high levels of noise that has the potential to annoy neighbours.

A Noise Impact Assessment would normally consider potential child-care (children) noise and compare this with the District Plan noise limits.

A study of noise generated by Child-care Centres\(^1\) measured children sounds in different circumstances ranging from casual voices (46 dBA at 1 metre) to shouting (68 dBA at 1 metre) and estimated the length of time the various sounds would be experienced. Adjustments are then made for the number of children and the distances involved, predicting an overall sound level. In the example used a sound level of 65 dBA was predicted for thirty five children (with twelve being vocal at any one time) at a distance of 5 metres. This level can be further adjusted if there is a boundary fence for example.

Noise mitigation measures would include ensuring the activity room inside the centre is appropriately located and noise insulated. The location and treatment of a sleeping room also needs to be carefully thought out. Mitigation measures include the construction of solid boundary fences of appropriate height, ensuring decks are not noisy to walk on (perhaps by covering with resilient materials) and selecting toys with pneumatic wheels.

Any noise assessment needs to take into account the following matters:

- The number of children and ages;
- The location of activity and play areas;
- What management techniques are available;
- The location of neighbouring noise sensitive activities; and
- The ability to mitigate noise.

Any noise assessment is site-specific taking into account the local conditions, for example it is difficult to provide noise mitigation where a nearby two storey neighbouring dwelling has windows overlooking an outdoor play area.

Child-care Centres have the potential to caused reverse sensitivity conflicts if established in Industrial or Rural Zones where nearby activities might need to be curtailed because of the presence of small children. The Residential and Village Zones tend to suit the establishment of such facilities except for the inevitable noise (and extra traffic). Child-care Centres need to be appropriately located, designed and managed.

---

With regards to what noise limits are appropriate for Child-care Centres in Residential Areas the starting point is the District Plan noise limits. The ability to comply with these limits (which are quite strict) would ensure that Child-care Centre noise should not be an issue. Depending on the number of children involved there would need to be a considerable buffer between outdoor play areas and neighbouring properties before these limits could be met.

In recognition of this it is recommended that consideration be given to making Child-care Centres Discretionary Activities with the following matters to be assessed:

1. The existing noise levels in the area;
2. How many children in different age groups will attend;
3. The hours of operation;
4. Pick up and drop off noise;
5. The noise mitigation provided to indoor activity areas;
6. The considerations for indoor sleep areas;
7. The location of outdoor play areas;
8. Frequency and duration of times when children play in each area;
9. What noise mitigation measures are provided for:
   a. Children’s play equipment;
   b. Decks;
   c. Design and location of acoustic fences;
   d. Other noise mitigation measures.
10. The predicted noise levels at neighbouring sites;
11. Provision of a noise management plan that identifies potential noise issues and describes how these will be appropriately managed.

A Child-care Centre should ideally be naturally buffered from neighbouring properties e.g. being either screened by buildings or topography or separated from neighbours by distance. In Acousafe’s experience the chances of successfully establishing a Child-care Centre are greatly enhanced if consultation with the immediate neighbours to the preferred site engenders local support for the facility. It is recommended that a noise management plan be required to accompany all consent applications as it is important to be able to demonstrate that the matters set out above have been considered as part of entering into any consultation process.

13 Temporary Military Training Activities

Military activities are included in the District Plan definition of Temporary Activities (2.2.1) but there are no separate noise performance standards in 2.2.3 which has noise limits for construction or demolition works by reference to NZS 6803P:1984\(^2\). This Provisional Standard has now been superseded by NZS 6803:1999 Acoustic – Construction Noise. There are therefore no noise limits for short-term military activities in the District Plan, which are otherwise a permitted activated.

---

\(^2\) NZS 6803P:1984 The measurement and Assessment of Noise from Construction, Maintenance, and Demolition Work.
In their submission to the District Plan review the New Zealand Defence Force (NZDF) provided a Generic Table for Permitted Activity Noise Standards that it sought to have included in the District Plan. The table was derived from the work of Malcolm Hunt Associates (MHA) dated January 2013. The MHA report detailed measurements made of various NZDF activities at different locations and predicted the noise levels likely to be generated at different distances from the sources.

The MHA report established five different categories of Temporary Military Training Activities (TMTA), discussed reasonable noise limits that might apply and then recommended what criteria would be appropriate for District Plans.

The five TMTA categories were:
1. Live firing of weapons and single or multiple explosive events,
2. Firing of blank ammunition,
3. Mobile noise sources (excluding the above)
4. Stationary noise sources (excluding the above)
5. Helicopter landing areas.

13.1.1 Noise Limits for Explosives and Small Arms

The NZDF submission sought to remove the blanket amended Rules which had been recommended throughout the noise provisions in the Plan review in regards to night-time noise which stated:

Noise resulting from the use of explosives and small arms shall not occur between 8.00 pm and 7.00 am the following day and shall otherwise comply with Section 8.1.4 of NZS 6803:1999.

Section 8.1.4 of NZS 6803:1999 requires the airblast noise limit to be a peak sound level of 120 dBC measured at a suitable location specified by the Standard.

The night-time noise limit proposed by NZDF was 90 dBC for live firing of weapons and single or multiple explosive events and firing of blank ammunition. The live firing would need to be at least 4,500 metres from the noise sensitive activity to comply with this limit and the blank firing at least 2,250 metres. It was considered unreasonable to have night-time firing of weapons and single or multiple explosions as permitted activities in the District Plan given the high potential for noise impact on residents, stock and wildlife and given the large separation distances required to comply with reasonable night-time criteria.

It is recommended that night-time firing and explosions be provided for as controlled activities. The resource consent application would provide details of the likely noise levels and describe any appropriate noise management plans. The resource consent and noise management plans would provide for a case-by-case assessment of the night-time firing taking into account the location and nature of the proposed activity, proximity to noise sensitive activities, and measures to mitigate noise impacts. It is considered that such an approach is more appropriate in managing the noise effects than that sought by NZDF.
13.1.2 TMTA Noise Limits Generally

It is recommended therefore that TMTA noise be controlled in the Rural Zone by reference to the construction noise standard and this is appropriate for live firing and explosions during the day and for mobile activities.

The separation distances are insufficient in the Residential and Village zones for noisy TMTA activities to take place. As such it is recommended that the noise limits in the Proposed Table [xxx] apply to TMTA noise as it impacts on residential amenity in the Residential and Village Zones.

The Generic Table provided by NZDF also sought that a stricter noise regime for fixed noise sources be adopted using the least stringent noise limits as recommended by NZS6802:2008 Acoustics – Environmental noise. As these will provide a better protection to residents then it is considered that this approach is reasonable by reference to the Proposed Noise Rules Table [xxx].

13.1.3 TMTA Helicopter Noise

With respect to helicopters NZDF sought that these be controlled by reference to NZS6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas. Due consideration was given to this proposal because the Standard is specific to helicopter noise. The issue with applying this Standard though is we consider it to be more appropriate to the situation where a permanent Helicopter Landing Area is to be established. It becomes somewhat cumbersome in the situation where helicopter noise is to occur on a temporary basis. Our perception is that helicopters could land at a variety of locations during TMTA making noise predictions difficult. In addition, the Standard only applies where ten or more flight movements occur in any month or where flight movements are likely to result in a maximum sound level (L_{max}) of 70 dBA at night-time or 90 dBA during daytime on any residential zone or within the notional boundary of any rural land. Otherwise Table 1 of NZS6807 contains a series of acceptable noise dose limits for day/night operations and L_{Amax} limits for night-time. These limits and the process in determining them are not perceived to be appropriate for short term helicopter activity for temporary training purposes.

There is currently no mention of Helicopter Noise or NZS6807:1994 in the District Plan and it is recommended that noise from helicopter landing areas be controlled by reference to that Standard (be it relevant to TMTA or not).

13.1.4 Recommendations for TMTA

It is recommended there that a performance standard be added to Rule A2 2.2.3 as follows:

Temporary Military Training Activities

All noise emitted in the course of any military training activities shall not exceed the limits as set out in Table 2 of NZS6803:1999 Acoustics - Construction noise when applied at any noise sensitive location and shall be measured and assessed in accordance with that Standard as if it were construction noise. Noise resulting from
the use of explosives and small arms shall not occur between 8.00 pm and 7.30 am the following day and shall otherwise comply with Section 8.1.4 of NZS6803:1999.

All noise emitted from fixed noise sources shall comply with the Proposed Noise Rules Table [xxx]

As stated above it is recommended that night-time live firing of weapons and single or multiple explosive events and firing of blank ammunition be a discretionary activity with the assessment to include:

- The nature of the proposed activity,
- The time and duration of the noise generation,
- The proximity to noise sensitive activities and stock,
- What measures will be used to mitigate noise impacts, and
- What consultation and noise management plans will be established?

It would also be appropriate to establish what short-term use of the land is such as occurring on a total of no more than 30 days in any 12 month period.

14 **Reverse Sensitivity**

Reverse sensitivity is “the vulnerability of an established activity (e.g. a road) to objection from new sensitive land uses located nearby.” To operators of established industries or important transportation infrastructure this means the risk that new activities (such as houses and offices) that choose to locate near established noise generators may object to the noise effects and take legal action against the operator.

“Reverse Sensitivity” applies to situations where incompatible land uses are located in close proximity to each other, resulting in conflict between the activities, typically through complaints from the more sensitive activity. The term generally relates to the effects of the development of a sensitive activity in an area that is already affected by established activities.

14.1 **State Highways**

The New Zealand Transport Agency (NZTA) submission follows their latest guidelines for controlling Reverse Sensitivity impacts on State Highways and makes recommendations for District Plans. These guides seek to ensure that reverse sensitivity is efficiently managed by local authorities by:

- imposing separation and setback distances between sensitive activities and the road edge;
- encouraging non-sensitive land use to separate residential or other sensitive activities from major transport corridors;
- adopting effective urban design principles and acoustic treatment performance standards within district plans;

---


• requiring design and construction standards to achieve appropriate internal noise and vibration levels within effects areas.

The recommended Rules from the Guide are:

A. New buildings or alterations to existing buildings containing noise sensitive activities must be at least 40 metres from the edge of the state highway carriageway and there is an existing solid and continuous building, fence, wall or landform that blocks the line of sight from all parts of all windows and doors to the new or altered habitable spaces to any part of the road surface of the state highway. This excludes unaltered existing spaces.

B. New buildings or alterations to existing buildings containing noise sensitive activities, in or partly in the state highway buffer area must be designed, constructed and maintained to achieve road-traffic vibration levels complying with class C of NS 8176E:2005.

C. New buildings or alterations to existing buildings containing noise sensitive activities, in or partly in the state highway buffer area or effects area must be designed, constructed and maintained to achieve the indoor design noise levels from road-traffic set out in (reference table below).

<table>
<thead>
<tr>
<th>BUILDING TYPE</th>
<th>OCCUPANCY/ACTIVITY</th>
<th>MAXIMUM/INDOOR DESIGN NOISE LEVEL L_Aeq(24h)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>Living spaces, sleeping spaces (including visitor accommodation and retirement accommodation)</td>
<td>40 dB</td>
</tr>
<tr>
<td>Education</td>
<td>Assembly halls</td>
<td>35 dB</td>
</tr>
<tr>
<td></td>
<td>Conference rooms, drama studios</td>
<td>40 dB</td>
</tr>
<tr>
<td></td>
<td>Lecture rooms and theatres, music studios</td>
<td>35 dB</td>
</tr>
<tr>
<td></td>
<td>Libraries</td>
<td>45 dB</td>
</tr>
<tr>
<td></td>
<td>Sleeping areas in educational facilities</td>
<td>40 dB</td>
</tr>
<tr>
<td>Health</td>
<td>Overnight medical care, wards</td>
<td>40 dB</td>
</tr>
<tr>
<td></td>
<td>Clinics, consulting rooms, theatres, nurses’ stations</td>
<td>45 dB</td>
</tr>
<tr>
<td>Cultural buildings</td>
<td>Places of worship, mosques</td>
<td>35 dB</td>
</tr>
</tbody>
</table>

The NZTA guide also sets out recommendations for ventilation which include a requirement for the need to meet clause G4 of the New Zealand Building Code, a sound limit for the ventilation, minimum air change rates, and the need to provide cooling that is able to be controlled by the occupant to ensure that the temperature does not get to more than 25°C.

Acousafe has no specific expertise in mechanical ventilation (other than controlling the noise from it). We do however suggest that consideration be given to basic ventilation provision (air changes) that have been successful in other District Plans.

We consider that the NZTA guide is more applicable to busier state highway gateways into larger cities, for example, where continuous fencing along the route can help to mitigate the noise. These rules are less appropriate for state highways in the Manawatu, such as in Kimbolton Road (see below).
In Kimbolton Road the sections are all well-developed relatively close to the highway and there are few (if any) empty sections. With access driveways and the variation in ownership along the route there is no chance of having a ‘continuous building, fence, wall or landform that blocks the line of sight’.
Council has studied the proliferation of different ‘valuations’ within 200 metres of State Highways. There are three residential areas; one in Feilding on Kimbolton Rd, one at Cheltenham and another at the Himatangi Beach Rd / SH1 Junction.

There are nearly 100 residential units in these three areas and 9 empty sections, of which only a few are likely to be developed for new dwellings.

While we support the protection of state highways from reverse sensitivity effects, it does not seem worthwhile to provide for noise insulation and ventilation of new dwellings in residential/township zones in the District given that there are so few empty sections. With respect to insulation of additions to existing dwellings we do not consider that this makes a significant difference to the protection of the state highway from reverse sensitivity effects. Noise insulating the additions makes no difference to the existing buildings and we perceive practical difficulties in constructing and ventilating new parts of the dwellings in a different manner to the existing dwelling.

We agree with the provision of noise insulation and ventilation in Rural Zones but suggest that the buffer distance be carefully considered. With isolated farm houses there is considerable expense in getting the services to the dwelling the further it is from the road. The NZTA Guide has the following set-back distance:

This guide shows decreasing buffer distance with the volume of traffic (AADT).

The following is example of vehicle numbers on sections of the state highway (2011)\(^5\):

---

\(^5\) State Highway Traffic Data Booklet 2007-2011

P.O. BOX 14-315 WELLINGTON 6241, NEW ZEALAND. TELEPHONE 64-4-388 3407

ACOUSAFe CONSULTING & ENGINEERING LTD

239
SH1 at Himutangi – 6,976 AADT  
SH3 at Awahuri – 6,978 AADT  
SH4 at Kimbolton Road – 7,177 AADT

It can be seen therefore that the traffic volumes on the State Highways in the Manawatu District are all around 7,000 AADT and, according to the NZTA guide, warrant a 40 metres setback.

A simplified version of the rule that NZTA seeks is more appropriate for the Rural Zone in the Manawatu District as follows:

(e) **Acoustic Insulation and Setbacks**

(i) All dwellings constructed within 80 metres of the carriageway edge of a State Highway shall be designed, constructed and maintained in accordance with a design report prepared by a suitably qualified and experienced acoustical engineer stating that the design as proposed will achieve compliance with an internal noise level of 40dB L_{Aeq(24hr)} in habitable rooms.

Provided that no residential building is constructed within 40 metres of the carriageway edge of the State Highway.

(ii) Where bedrooms with openable windows are proposed in buildings requiring acoustic insulation, a positive supplementary source of fresh air ducted from outside is required at the time of fit-out. For the purposes of this requirement, a bedroom is any room intended to be used for sleeping. The supplementary source of air is to achieve a minimum of 7.5 litres per second per person.

(iv) For all other developments, compliance shall be achieved with the satisfactory design guidelines given in AS/NZS 2107:2000: Acoustics – recommended design sound level and reverberation times for building interiors.

We do not consider that reverse sensitivity requirements are warranted in the Residential or Village Zones.

**14.2 Railways**

The North Island Main Trunk railway line passes through the District. KiwiRail has made submissions seeking the following:

All buildings constructed within 100 metres of the nearside edge of the railway line shall be designed, constructed and maintained in accordance with a design report prepared by a suitably qualified and experienced acoustical engineer stating that the design as proposed will achieve compliance with an internal noise level of 40 dB L_{Aeq(1hr)} in living rooms and 35 dB L_{Aeq(1hr)} in bedrooms.

KiwiRail seeks to protect its operations from encroaching development and the resultant reverse sensitivity impacts. Trains generate high levels of noise close to the railway tracks and it is reasonable to establish a set-back and to provide for noise insulation of dwellings seeking to establish close to the line.

When railway noise is assessed for annoyance using dose response curves, studies indicate that it is less annoying to the community than noise from other
sources such as industry, road traffic and aircraft\textsuperscript{6,7}. We consider that a strict application of the control distances is therefore not required.

KiwiRail’s submission is based on recommendation made by Chiles Ltd dated 4 September 2013. That correspondence included its Table 2 of expected noise levels which is reproduced below.

There are two scenarios – windows open and windows closed. Dwellings will not be required to be noise insulated when they are outside the railway noise management area so reasonable indoor levels need to be provided with windows open. It is not unreasonable to assume that a new house could optimise the layout of the building to locate bedrooms away from the railway line to provide additional buffering from the building itself. On that basis it is the living room areas that become critical.

\begin{table}[h]
\centering
\begin{tabular}{|c|c|c|}
\hline
Distance from track & Sound level & Sound level \\
& & (minor branch lines) \\
\hline
10 metres & 71 dB $L_{Aeq}(1\ hour)$ & 68 dB $L_{Aeq}(1\ hour)$ \\
20 metres & 68 dB $L_{Aeq}(1\ hour)$ & 65 dB $L_{Aeq}(1\ hour)$ \\
30 metres & 66 dB $L_{Aeq}(1\ hour)$ & 63 dB $L_{Aeq}(1\ hour)$ \\
40 metres & 64 dB $L_{Aeq}(1\ hour)$ & 61 dB $L_{Aeq}(1\ hour)$ \\
50 metres & 62 dB $L_{Aeq}(1\ hour)$ & 59 dB $L_{Aeq}(1\ hour)$ \\
60 metres & 60 dB $L_{Aeq}(1\ hour)$ & 57 dB $L_{Aeq}(1\ hour)$ \\
70 metres & 59 dB $L_{Aeq}(1\ hour)$ & 56 dB $L_{Aeq}(1\ hour)$ \\
80 metres & 58 dB $L_{Aeq}(1\ hour)$ & 55 dB $L_{Aeq}(1\ hour)$ \\
90 metres & 56 dB $L_{Aeq}(1\ hour)$ & 53 dB $L_{Aeq}(1\ hour)$ \\
100 metres & 56 dB $L_{Aeq}(1\ hour)$ & 53 dB $L_{Aeq}(1\ hour)$ \\
\hline
\end{tabular}
\caption{Railway sound levels}
\end{table}

A noise reduction of 15dB is reasonable with windows ajar. Given the inside noise criterion of 40dB $L_{Aeq}(1\ hour)$ (in living rooms) the theoretical allowable outdoor sound level becomes the 55dB $L_{Aeq}(1\ hour)$.

Reference to Table 2 shows the outside noise level of $L_{Aeq}(1\ hour)$ 58dB occurs at a distance of 80 metres from a busy line. We consider that 80 metres is a reasonable distance within which noise insulation should apply. This may result in a small exceedance of the daytime 40 dB $L_{Aeq}(1\ hour)$ criterion for dwellings outside the railway noise management area but this is appropriate given that the community is generally more accepting of railway noise than other noise sources.

With regards to the required set-back distance within which new dwellings should not be constructed, again there needs to be consideration for a balance between urban development and protection from rail noise. We consider that

---

\textsuperscript{6} Schultz, T.J.; “Synthesis of Social Surveys on Noise Annoyance”; Jnl Acoust Soc Am 64 No 2, pp377-405;1978.

a set-back distance of 30 metres will allow dwellings to be suitably noise insulated and ventilated to achieve the required internal noise limits. Sensible location of bedrooms will allow some screening of train noise and the daytime noise limits can be readily met with appropriate noise insulation. Chiles Ltd’s Table 2 shows that there is only a 2 dB increase in train noise between the 40 metre distance and the 30 metre distance.

**Recommendation**

It is recommended that the railway control distance be written as follows:

> All buildings constructed within 80 metres of the nearside edge of the railway line shall be designed, constructed and maintained in accordance with a design report prepared by a suitably qualified and experienced acoustical engineer stating that the design as proposed will achieve compliance with an internal noise level of 40 dB L_{Aeq(1hr)} in living rooms and 35 dB L_{Aeq(1hr)} in bedrooms.

The ventilation rules and reference to AS/NZS 2107:2000, set out above, also apply to this rule.

It is recommended that this rule be adopted for the Manawatu District Plan including a requirement not to build noise sensitive activities with 30 metres of the nearside edge of the railway line.

### 15 Conclusions

This review of the Operative District Plan considers noise performance standards for the various zones in the District Plan. Separate consideration has been given to airport noise and noise insulation requirements for Flats and Apartments in the Feilding Inner Business Zone. Part 2 of this report covers special activities and reverse sensitivity matters.

The approach taken in this review has been to generally adopt the noise limits in the Operative District Plan, while updating the noise descriptors in line with the latest New Zealand Standards and amalgamating the standards. Some rationalisation of the noise limits is recommended to provide a greater consistency across the District Plan. Night-time noise limits and times have also been reviewed to provide for improved and appropriate sleep protection amenity.

It is recommended that Temporary Military Training Activities be controlled by reference to both the Construction Noise Standard limits and, for stationary activities, to the stricter Zone limits in the District Plan. Activities involving explosions and gun-fire at night would be discretionary activities.

Part 2 of or review of the Operative District Plan considers the management and control of noise from various activities that need to be controlled differently from the general provisions set out in this Part 1 review. This is because aspects such as wind farms and frost control and bird scaring devices have specific noise characteristics that need to be measured, assessed and managed differently. These aspects should be kept in mind when reading this Part 1 Review.
Reverse sensitivity issues for State Highways and for railways have been traversed.
APPENDIX A – Operative District Plan Noise Performance Standards

B1 RESIDENTIAL ZONE
1.3 STANDARDS FOR PERMITTED AND CONTROLLED ACTIVITIES

1.3.4 Standards Applying To Home Occupations and Non-Residential Activities

G) Noise
   i) All activities shall be conducted so as to ensure that noise from the site shall not exceed the following noise limits, at any point within the boundary of any other site in the Residential zone:
      - 7.00 am to 10:00 pm: 45dBA $L_{10}$
      - 10.00 pm to 7:00 am: 35dBA $L_{10}$ and 55dBA $L_{max}$

ii) Sound levels shall be measured in accordance with New Zealand Standards NZS 6801:1991 Measurement of Sound and assessed in accordance with NZS 6802:1991 Assessment of Environmental Sound.

B2 VILLAGE ZONE
2.3 Standards for permitted and controlled activities

2.3.2 Non-Residential Activities

H) Noise
   i) All activities shall be conducted so as to ensure that noise from the site shall not exceed the following noise limits, at any point within the boundary of any other site in the Village zone:
      - 7.00 am to 10:00 pm: 45 dBA $L_{10}$
      - 10.00 pm to 7:00 am: 35 dBA $L_{10}$ and 55 dBA $L_{max}$

ii) Sound levels shall be measured in accordance with New Zealand Standard NZS 6801:1991 Measurement of Sound and assessed in accordance with NZS 6802:1991 Assessment of Environmental Sound.

B3 RURAL
3.3 Standards for permitted and controlled activities

3.3.1 Performance Standards

K) Noise Received in Residential Zones or Village Zones
   All activities shall be so conducted as to ensure that noise from sites in the Rural zone shall not exceed the following noise limits, at any point within the boundary of any site zoned Residential or Village:
   - 7.00am to 10.00pm: 55 dBA $L_{10}$
   - 10.00pm to 7.00am the following day: 45 dBA $L_{10}$ and 65 dBA $L_{max}$
APPENDIX A – Operative District Plan Noise Performance Standards

L) Noise Received at Rural Dwellings

All activities shall be conducted so as to ensure that noise from the site shall not exceed the following noise limits, at any point within the notional boundary of any rural dwelling not on the subject site:

6.00am to 10.00pm 55 dBA \( L_{10} \)
10.00pm to 6.00am the following day 45 dBA \( L_{10} \) and 65 dBA \( L_{\text{max}} \)

Note: the notional boundary is defined in NZS 6802: 1991 Assessment of Environmental Sound as a line 20 metres from the facade of any rural dwelling, or the legal boundary where this is closer to the dwelling.

M) Exemptions and Measurement of Noise

i) The foregoing noise limits shall not apply to activities of a limited duration required by normal agricultural practice, such as harvesting. Such activities shall be no louder than necessary, and shall comply with the requirements of Section 16 of the Act.

ii) Sound levels shall be measured in accordance with New Zealand Standard NZS 6801: 1991 Measurement of Sound and assessed in accordance with NZS 6802: 1991 Assessment of Environmental Sound.

NB The foregoing noise limits shall not apply to aircraft noise associated with operational activities at airports, including taxiing and runups.

RULE B4 BUSINESS ZONE

4.3 Standards for Permitted and Controlled Activities

4.3.1 Performance Standards

E) Noise Received in the Business Zone

All activities shall be conducted so as to ensure that noise from the site shall not exceed the following noise limits, at any point within the boundary of any other site in the Business zone:

At any time 65 dBA \( L_{10} \)
10.00pm to 7:00 am the following day 85 dBA \( L_{\text{max}} \)

F) Noise Received in Residential Zones

All activities shall be conducted so as to ensure that noise from the site shall not exceed the following noise limits, at any point within the boundary of any Residential zone:

7.00am to 10:00 pm 50 dBA \( L_{10} \)
10.00pm to 7:00 am the following day 40 dBA \( L_{10} \) and 60 dBA \( L_{\text{max}} \)
APPENDIX A – Operative District Plan Noise Performance Standards

G) Measurement

Sound levels shall be measured in accordance with New Zealand Standard NZS 6801:1991 Measurement of Sound, and assessed in accordance with NZS 6802:1991 Assessment of Environmental Sound.

RULE B5 INDUSTRIAL

5.3 Standards for permitted and controlled activities

5.3.1 performance standards

D) Noise

All activities shall be so conducted as to ensure that noise from the site shall not exceed the following noise limits, at any point within the boundary of any site zoned Residential or Village; nor within the notional boundary of any rural dwelling:

<table>
<thead>
<tr>
<th>Time Period</th>
<th>Noise Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>7.00am to 10:00 pm</td>
<td>55dBA L10</td>
</tr>
<tr>
<td>10.00pm to 7:00 am the following day</td>
<td>45dBA L10 and 65dBA Lmax</td>
</tr>
</tbody>
</table>

Sound levels shall be measured in accordance with NZ Standard 6801:1991 Measurement of Sound, and assessed in accordance with NZS 6802:1991 Assessment of Environmental Sound. Note: the notional boundary is defined as a line 20 metres from the facade of any rural dwelling, or the legal boundary where this is closer to the dwelling.

RULE B6 RECREATION ZONE

6.2 Standards for permitted activities

6.2.1 performance standards

C) Noise

i) All activities shall be conducted so as to ensure that noise from the site shall not exceed the following noise limits, at any point within the boundary of any Residential zone or Village zone:

<table>
<thead>
<tr>
<th>Time Period</th>
<th>Noise Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>7.00am to 10:00 pm</td>
<td>45dBA L10</td>
</tr>
<tr>
<td>10.00pm to 7:00 am the following day</td>
<td>35dBA L10 and 55dBA Lmax</td>
</tr>
</tbody>
</table>

ii) The foregoing limits shall not apply to recreational activities that do not involve motorsport, gunfire or amplified music.

iii) Sound levels shall be measured in accordance with New Zealand Standard NZS 6801:1991 Measurement of Sound and assessed in accordance with NZS 6802:1991 Assessment of Environmental Sound.
APPENDIX A – Operative District Plan Noise Performance Standards

RULE B7 FLOOD CHANNEL ZONE

7.3 Standards for permitted and controlled activities

7.3.1 performance standards

G) Noise Received in Residential Zones or Village Zones
All activities shall be so conducted as to ensure that noise from sites in the Flood Channel zones shall not exceed the following noise limits, at any point within the boundary of any site zoned Residential or Village.

<table>
<thead>
<tr>
<th>Time Period</th>
<th>Noise Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>7.00am to 10.00pm</td>
<td>55 dBA L&lt;sub&gt;10&lt;/sub&gt;</td>
</tr>
<tr>
<td>10.00pm to 7.00am the following day</td>
<td>45 dBA L&lt;sub&gt;10&lt;/sub&gt; and 65 dBA L&lt;sub&gt;max&lt;/sub&gt;</td>
</tr>
</tbody>
</table>

H) Noise Received at Rural Dwellings
All activities shall be conducted so as to ensure that noise from the site shall not exceed the following noise limits, at any point within the notional boundary of any rural dwelling not on the subject site:

<table>
<thead>
<tr>
<th>Time Period</th>
<th>Noise Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>6.00am to 10.00pm</td>
<td>55 dBA L&lt;sub&gt;10&lt;/sub&gt;</td>
</tr>
<tr>
<td>10.00pm to 6.00am the following day</td>
<td>45 dBA L&lt;sub&gt;10&lt;/sub&gt; and 65 dBA L&lt;sub&gt;max&lt;/sub&gt;</td>
</tr>
</tbody>
</table>

Note: the notional boundary is defined in NZS 6802: 1991 Assessment of Environmental Sound as a line 20 metres from the facade of any rural dwelling, or the legal boundary where this is closer to the dwelling.

I) Exemptions and Measurement of Noise

i) The foregoing noise limits shall not apply to activities of a limited duration required by normal agricultural practice, such as harvesting. Such activities shall be no louder than necessary, and shall comply with the requirements of Section 16 of the Act.

ii) Sound levels shall be measured in accordance with New Zealand Standard NZS 6801: 1991 Measurement of Sound and assessed in accordance with NZS 6802: 1991 Assessment of Environmental Sound.

NB The foregoing noise limits shall not apply to aircraft noise associated with operational activities at airports, including taxiing and runups.
Appendix 5 – Operative District Plan showing proposed changes