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 is intended to be read in conjunction with the relevant zoning provisions. If the relevant zoning rules are more specific and restrictive than the provisions contained in this chapter, then the zone rules 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 and beyond. Such infrastructure, services and facilities can also create significant direct or indirect adverse environmental effects, some of which may be quite specific to the utility. Due to their locational, technical and operational constraints, some utilities may generate adverse effects that cannot be practically avoided, remedied or mitigated. As such, these effects need to be balanced against the essential nature of facilities and the benefits these utilities provide to the social, economic, health and safety and wellbeing of people and communities in the Manawatu District and beyond.

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

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1 S16/004 by Transpower
2 S3/007 by Heritage New Zealand Pouhere Taonga and S11/008 by Transpower NZ
3 S16/005 by Powerco and S11/009 by Transpower NZ
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.

Telecommunication and Radiocommunication facilities are in part managed under the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016 (NESTF). The NESTF provides a nationally consistent planning framework for a wide range of telecommunication facilities in locations inside and outside the road reserve. Telecommunication facilities not covered by the NESTF 2016 are controlled under the District Plan. Radiofrequency fields of all telecommunication facilities, and for some telecommunication infrastructure that is located in the road reserve, such as cabinets and antennas.

The Manawatu Wanganui Regional Council’s One Plan also recognises, provides for, recognises, and 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:

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4 S17/005 by Spark and S18/006 by Chorus
5 S5/046 by Heritage NZ Pouhere Taonga
6 S5/046 by Heritage NZ Pouhere Taonga
7 Support all issues S20/007 by First Gas and S8/005 by NZ Defence Force
1. To provide for the safe, effective and efficient operation, maintenance, replacement, and upgrade of network utilities, including infrastructure of regional and national importance.¹⁰

2. Recognising that network utilities have technical and operational requirements that may dictate their location and design.¹¹

3. The safe, effective and efficient operation, upgrading and maintenance, replacement and upgrading, and planned development of network utilities can be put at risk by inappropriate subdivision, use and development.¹⁴

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.¹⁵

7. Potential effects from electromagnetic and other forms of radiation.

8. The location, operation and maintenance, replacement and upgrading of network utilities can create adverse effects on the environment.¹⁷

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.¹⁸

Policies

¹ S16/006 by Powerco
¹⁰ Support issue 1 S7/005 NZ Transport Agency
¹¹ Support issue 2 S11/011 by Transpower
¹² S16/006 by Powerco
¹³ S16/007 by Powerco
¹⁴ Support issue 3 S7/006 by NZ Transport Agency
¹⁵ Support issue 6 S2/002 by Kiwirail
¹⁶ S16/006 by Powerco
¹⁷ S23/001 by Horticulture NZ, S1/003 by Federated Farmers and S3/008 by NZ Defence Force
¹⁸ Support S5/010 by Horizons
1.1 To enable the establishment, operation, maintenance, replacement, 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 practicable, minimising potential cumulative effects.

1.3 To require that, encourage 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 and constraints of network utilities and the contribution they make to the functioning and wellbeing of the community, and beyond when assessing their location, design and appearance.

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, maintenance, replacement and upgrading of existing network utilities, including infrastructure of regional and national importance, and the planned development of new network utilities, 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.

2.2 To require that appropriate separation of activities is maintained to enable the safe operation, maintenance, replacement and upgrading of network utilities, and avoid reverse sensitivity and/or manage risk issues.

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19 S11/018 by Transpower
20 S16/011 by Powerco
21 S17/006 by Spark and S18/007 by Chorus
22 S17/007 by Spark and S18/008 by Chorus
23 S11/021 by Transpower, S16/013 by Powerco and S20/010 by First Gas
24 Support S5/015 by Horizons
25 S11/023 by Transpower, S16/015 by Powerco and S20/011 by First Gas
26 Support S7/008 by NZ Transport Agency, S8/007 by NZ Defence Force, S5/017 & 018 by Horizons and S20/012 by First Gas
27 S16/017 by Powerco
28 S16/017 by Powerco
2.3 To ensure all subdivision and development is designed to avoid adverse effects on the operation, access, maintenance, replacement and upgrading of existing or planned development of network utilities.

2.4 To manage the effects of subdivision, development and land use on the safe, effective and efficient operation, maintenance, replacement and upgrading of the National Grid by ensuring that:
   
a. Areas are identified in the Plan to establish safe buffer distances for managing subdivision and land use development near the National Grid.
   
b. Sensitive activities, and intensive farming and farm buildings are excluded from establishing within the National Grid Yard.
   
c. Subdivision is managed around the National Grid Corridor to avoid subsequent land use from restricting the operation, maintenance and upgrading of the National Grid.
   
d. Changes to existing activities within a National Grid Yard do not further restrict the operation, maintenance and upgrading of the National Grid.

Objective 3
To protect the values that are important to significant heritage and landscape areas from the inappropriate development of network utilities. To restrict, except within an existing road corridor, the development of network utilities within areas of significant heritage and landscape value recognising the values of these important areas.

Policies
3.1 Subject to Policy 3.2, to protect the values that cause an Outstanding Natural Feature and Landscape to be identified scheduled in Appendix 1C (Outstanding Natural Features) or a site of historic heritage scheduled in Appendix 1E (Buildings and Objects with Heritage Value) and 1F (Sites with Heritage Value) from inappropriate subdivision, use and development.

3.2 To restrict the development of network utilities, except within an existing road corridor, within areas scheduled of significant heritage and

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29 S16/018 by Powerco
30 S16/006 by Powerco
31 S11/027 by Transpower
32 S11/027 by Transpower
33 S16/019 by Powerco
34 S3/009 by Heritage NZ Pouhere Taonga, S11/028 by Transpower, S16/019 by Powerco and S20/015 by First Gas
35 S3/010 by Heritage NZ Pouhere Taonga
36 S16/019, S16/020 and S16/036 by Powerco
37 S16/019, S16/020 and S16/036 by Powerco
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, replacement, or minor upgrading or repair of lawfully established or consented network utilities, or those that are 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.
Chapter 3 - District Wide Rules – Network Utilities

- The construction, operation, maintenance, replacement and minor upgrading of Radiocommunications and/or telecommunication facilities, cables and lines, including those underground.

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

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

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

- The construction, operation, maintenance, replacement and upgrading of any new electricity lines up to and including 110kV and associated transformers and switchgear.

- Soil conservation, erosion protection, river control or flood protection works undertaken by, or on behalf of the Manawatu Wanganui Regional Council.

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

- Railway crossing warning devices and barrier arms.

- Trig stations and survey marks.

- Navigational aids, lighthouses and beacons.

- Meteorological instruments and facilities.

- Decommissioning and removal of utilities.

- Electric vehicle charging stations.

- The trimming and removal of any vegetation that is required to maintain safe separation distances or the ongoing efficient operation of the telecommunication or electricity line.

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47 S16/006 by Powerco
48 S17/014 by Spark and S18/015 by Chorus
49 S16/025 by Powerco
50 Support S16/028 by Powerco
51 S16/026 by Powerco
52 Support S2/011 by Kiwirail
53 Support S2/026 by Kiwirail
54 Support S16/029 by Powerco
55 S11/032 by Transpower and S16/030 by Powerco
Guidance Notes:

1. The provisions of the National Environmental Standard for Telecommunications Facilities (2016-2008) apply and resource consent may be required under those Standards. In the event of a conflict between them the provisions of the National Environmental Standard override the District Plan.\(^{56}\)

2. Water takes, diversions, new tracks, drilling of bores, offal pits, farm dumps and Earthworks are also regulated by the Manawatu-Wanganui Regional Council and a resource consent may be required under the rules of the One Plan.\(^{57}\)

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.\(^{58}\)

4. Vegetation and planting around Transmission all electricity lines (including the National Grid) shall comply with the Electricity (Hazards from Trees) Regulations 2003.\(^{59}\)

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, and must be complied with.\(^{60}\)

6. Early consultation with Heritage New Zealand Pouhere Taonga is encouraged where a development may adversely affect an item listed on the New Zealand Heritage List/Rarangi Korero. Works near or within areas of historic heritage may also require an Archaeological Authority under the Heritage New Zealand Pouhere Taonga Act (2014). It is an offence to modify or destroy an archaeological site or demolish/destroy a whole building if the person knows or reasonably suspects it to be an archaeological site. An archaeological site is any place, including any building or structure (or part of), that:

   • was associated with human activity or the site of a wreck of a vessel that occurred before 1900; and

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\(^{56}\) S17/015 by Spark and S18/016 by Chorus  
\(^{57}\) S5/042 by Horizons  
\(^{58}\) Support S11/035 by Transpower  
\(^{59}\) S16/031 by Powerco  
\(^{60}\) S16/032 by Powerco
provides or may provide, through archaeological investigation, evidence relating to the history of New Zealand.  

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 and need not comply with the height and setback rules in the zone chapters.

a. New network utilities and minor upgrading must not exceed a maximum height of
   i. 9m within the Residential or Village Zone, or
   ii. 25m within the Rural Zone, or
   iii. 2022m for all other zones.

Guidance Note: antennas (including any ancillary equipment) or lightning rods that do not extend 3m above the height of the building or mast are excluded from the 9m, 22m or 25m or 2022m limit above. The mast heights provided in i, ii and iii above can be increased by 5m if the mast is used by more than one telecommunications provider. Lightning rods may exceed the maximum height. 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.

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61 S3/013 by Heritage NZ Pouhere Taonga
62 S16/004, S16/022, S16/023, S16/033, and S16/034 by Powerco, S17/013 by Spark, S18/014 by Chorus, and S20/005 and S20/018 by First Gas
63 S16/033 by Powerco
64 S17/016 by Spark and S18/017 by Chorus
65 S17/017 by Spark and S18/018 by Chorus
Chapter 3 - District Wide Rules - Network Utilities

f. Poles or towers associated with Electricity transmission and distribution must not, with the exception of minor upgrading activities\(^{66}\), exceed a height of:

i. 12m in the Residential and Inner Business Zones, or

ii. 250m in all other zones.\(^{67}\)

g. Buildings and structures within an electricity transmission corridor, including the National Grid Yard must:

i. Comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 2001 (NZECP34:2001) (Note: compliance with the permitted activity standard of the Plan does not ensure compliance with NZECP34:2001); and\(^{68}\)

ii. Not exceed a maximum height of 2.5m and an area of 10m\(^2\).

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.\(^{69}\)

i. No dish antenna will exceed the following dimensions, a diameter of:

i. 2.5 metres in diameter (dish antenna), or a face area of 1.5m\(^2\) (other antenna) in the Residential Zone, or

ii. 5 metres in diameter (dish antenna), or a face area of 2.5 m\(^2\) (other antenna) in all other zones.\(^{70}\)

j. Where network utilities are located underground, any disturbance of the ground surface and any vegetation (apart from vegetation compromising the operational integrity of the network utility)\(^{71}\) 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.

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\(^{66}\) S16/033 by Powerco  
\(^{67}\) S16/034 by Powerco  
\(^{68}\) S11/038 by Transpower  
\(^{69}\) S17/022 by Spark and S18/023 by Chorus  
\(^{70}\) S18/024 by Chorus and S17/023 by Spark  
\(^{71}\) S20/021 by First Gas

l. Works associated with any network utility, except that are undertaken outside of within an existing road corridor carriageway, or that are not operation, maintenance, replacement or minor upgrading works must not be located within the areas scheduled 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), 1E (Buildings and Objects 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.5.

p. All network utilities must meet the noise standards relevant to the zone they are located in.

q. All activities that result in vibration must be managed in accordance with the NZ Transport Agency State Highway Construction and Maintenance Noise and Vibration guide (August 2013) to manage so that no vibration is discernible beyond site boundaries.

r. Electric vehicle charging stations must not exceed 1.5 m² in area and 1.8 m in height per charging station in all zones.

Guidance Notes:

1. Vegetation planted within an electricity transmission corridor, including the National Grid Yard and distribution lines should be selected and managed to

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72 S18/025 by Chorus
73 S16/036 by Powerco and Further submissions FS13/020 and FS13/021 by Powerco
74 S3/012 by Heritage NZ Pouhere Taonga, S16/036 by Powerco, S17/025 by Spark, S18/026 by Chorus and S20/022 by First Gas
75 Support S2/012 by Kiwirail
76 S16/037 by Powerco, S17/026 by Spark and S18/027 by Chorus
77 S23/007 by Horticulture NZ
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.

6. 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).78

7. Radiocommunication and/or telecommunication facilities that emit radiofrequency fields are required to comply with the radiofrequency regulations in the NESTF 2016.79

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, only to the extent that they are relevant to the standard that is not met.80

- scale of built form and location on site, including height

78 S18/025 by Chorus
79 S17/002 by Spark and S18/023 by Chorus
80 S16/038 by Powerco
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 and beyond.\(^{81}\)

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/practicable.\(^{82}\)

vi. whether the activity impacts on the scheduled heritage values of the District 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), 1E (Buildings and Objects with Heritage Value) and 1F (Sites with Heritage Value) of this Plan and, if so, how such impacts are remedied or mitigated.\(^{83}\)

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\(^{81}\) S11/040 by Transpower

\(^{82}\) S16/043 by Powerco

\(^{83}\) S16/043 by Powerco
vii. the degree to which the proposed location, site or route is better than alternative locations, sites, or routes have been assessed and any operational, locational or technical constraints considered.

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.

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84 S11/041 by Transpower, S16/044 by Powerco and S20/023 by First Gas
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 NZ Transport Agency in managing these routes is noted throughout the chapter. There are some instances where approval from NZ Transport Agency 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.  

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85 S7/012 by NZ Transport Agency
86 S7/012 by NZ Transport Agency
87 Support S2/013 by Kiwirail
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.

88 Support S2/014 by Kiwirail and S7/013 by NZ Transport Agency
89 Support S2/015 by Kiwirail and S7/014 by NZ Transport Agency
90 Support S7/015 by NZ Transport Agency
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 to ensure that they are constructed and managed in a way that is safe and efficient, and which may include restricting or encouraging the flow of 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**

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91 Support S2/016 by Kiwirail and S7/016 by NZ Transport Agency  
92 Support S7/017 by NZ Transport Agency and S5/022 by Horizons  
93 Support S7/018 by NZ Transport Agency and S5/023 by Horizons  
94 Support S7/019 by NZ Transport Agency and S20/013 by First Gas  
95 Support S7/020 by NZ Transport Agency  
96 S21/003 by Oil Companies  
97 Support S7/021 by NZ Transport Agency and S21/003 by the Oil Companies  
98 Support S7/022 by NZ Transport Agency  
99 Support S7/023 by NZ Transport Agency
Chapter 3 - District Wide Rules – Transport

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.\(^{100}\)

3.2 To mitigate the effects of roads and parking areas on visual amenity values through the provision of landscaping.\(^{101}\)

3.3 To support and encourage walking and cycling as alternative modes of transport.\(^{102}\)

3.4 To require that building materials and exterior lighting do not cause reflection or light spill that distracts road users.\(^{103}\)

3.5 To ensure roads are designed recognising alternative modes and the need to provide local road amenity.\(^{104}\)

3.6 To ensure development of new roads is integrated into the existing roading network in a coordinated manner.\(^{105}\)

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

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\(^{100}\) Support S7/024 by NZ Transport Agency  
\(^{101}\) Support S7/025 by NZ Transport Agency  
\(^{102}\) Support S7/026 by NZ Transport Agency  
\(^{103}\) Support S7/027 by NZ Transport Agency  
\(^{104}\) Support S7/028 by NZ Transport Agency  
\(^{105}\) Support S7/029 by NZ Transport Agency
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.\(^{106}\)

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.\(^{107}\)

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.

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\(^{106}\) Support S2/017 by Kiwirail

\(^{107}\) Support S2/018 by Kiwirail
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.

d. Manoeuvring space and car parking spaces must comply with the minimum dimensions set out in NZS 2890.1:2004 Parking Facilities – Off-Street Car Parking.

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>
<tr>
<td></td>
<td>Hospitals – 0.7 carparks per bed</td>
</tr>
<tr>
<td></td>
<td>Offices and other commercial services – 1 carpark per 40m$^2$ gross floor area.</td>
</tr>
<tr>
<td>Community Facilities</td>
<td>1 carpark per 10 m$^2$ 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 carparks per dwelling and 1 park per family flat.</td>
</tr>
</tbody>
</table>
| Education Facilities                 | For Pre-Schools and Day Care Centres – 1 carpark per staff member, plus 1 carpark per 4 children if there is a requirement for parental supervision.  
For Primary Schools – 0.7 of a carpark per staff member.  
For Secondary Schools – 0.7 of a carpark per staff member plus 1 carpark per 20 students.  
For Tertiary Education Facilities – 1 carpark per 10m² gross floor area. |
| Entertainment facilities             | 1 carpark per 4 seats provided.                                             |
| Funeral parlour                      | Chapels – 1 carpark for every 10 seats provided.                           |
|                                       | Other Rooms – 1 carpark per 65 m² gross floor area.                        |
| Home occupations                     | In addition to parking associated with the dwelling – 1 carpark per staff member.  
Where retail or services are provided from the home occupation, 2 carparks 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 carpark per 25m² gross floor area.                                      |
| Motor vehicle sales and servicing (office space only) | 1 carpark per 40 m² gross floor area.                                      |
| Retail Activities under 2000m² gross floor area | 1 carpark per 40 m² gross floor area.                                      |
| Rural and Animal Services            | 1 carpark per staff member, plus 1 carpark per 50m² of gross floor area.  |
| Restaurants                          | 1 carpark per 4 seats.                                                     |
| Service stations                     | 3 carparks per workshop service bay plus 2 per 100m³ 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, *only to the extent that they are relevant to the standard that is not met*:

- 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:

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108 S16/038 by Powerco
109 Support S2/019 by Kiwirail
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

110 Support S7/032 by NZ Transport Agency and S5/021 by Horizons
Diagram 2  Feilding Roading Hierarchy
Diagram 3  Manawatu District Roading Hierarchy – Boundary Change Area
Appendix 3B.2 Road Cross Sections

Figure 1
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

Notes:
- Seal widening and accessway sealing
  *R=9.0m (light vehicle use only)
  *R=15.0m (frequent HCV use)

Gate to be recessed back from highway sufficient distance to allow any vehicle using the driveway to stop clear of the highway traffic lanes while the gate is being opened or closed.

Diagram D - Special Use Access

NOT TO SCALE
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.

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

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111 Support S2/020 by Kiwirail
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)

**Figure 2**  
Restart Sight Triangles for all Level Crossings

**Table 1 Required restart sight distances for Figure 2**

<table>
<thead>
<tr>
<th></th>
<th>Signs only</th>
<th>Alarms only</th>
<th>Alarms and barriers</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<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 50 m 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 110 km/h
   - Vehicle approach speed of 20 km/h
   - Fall of 8% on the approach to the level crossing and a rise of 8% at that level crossing
   - 25 m 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. Rural production activities are the predominant activities in the rural area of the District. There is pressure for increased rural lifestyle living which can seek different expectations for the rural area. This can lead to complaints about the noise generated by rural production activities as part of day to day activities.112

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.

112 S23/010 by Horticulture NZ
5. Rural and rural lifestyle uses can have different amenity expectations which can result in complaints.  

### 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. To ensure noise level standards protect dwellings and other noise sensitive activities from unreasonable noise levels.

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.

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

4. To provide for noise associated with rural production activities in the rural zone.

### 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:

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113 S23/011 by Horticulture NZ

114 S23/012 by Horticulture NZ
<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</td>
<td>Residential/Village — these apply only to home occupations and non-residential activities</td>
</tr>
<tr>
<td>Recreation</td>
<td>7am – 7pm, 7pm – 10pm, 10pm – 7am</td>
<td>Residential/Village — these apply only to home occupations and non-residential activities</td>
</tr>
<tr>
<td>Rural</td>
<td>7am – 7pm, 7pm – 10pm, 10pm – 7am</td>
<td>Residential/Village — these apply only to home occupations and non-residential activities</td>
</tr>
<tr>
<td>Industrial</td>
<td>7am – 7pm, 7pm – 10pm, 10pm – 7am</td>
<td>Residential/Village — these apply only to home occupations and non-residential activities</td>
</tr>
<tr>
<td>Inner and Outer Business</td>
<td>7am – 7pm, 7pm – 10pm, 10pm – 7am</td>
<td>Residential/Village — these apply only to home occupations and non-residential activities</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.4.2.1\textsuperscript{115} 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.\textsuperscript{116}

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.

\textsuperscript{115} Cross referencing error

\textsuperscript{116} Support S2/021 by Kiwirail
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, and for biosecurity purposes to dispose of unwanted organisms.\(^{117}\)

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 can\(^ {118}\) detract from the amenity values of the District.
2. Earthworks can result in or increase the risk of land instability.\(^ {119}\)
3. Earthworks can result in adverse effects on historic heritage values features or areas of cultural, historical or landscape significance.\(^ {120}\)
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.\(^ {121}\)
6. Earthworks can compromise the safe, efficient and effective functioning of established network utilities including regionally and nationally significant infrastructure.\(^ {122}\)

\(^{117}\) S23/015 by Horticulture NZ and S16/047 by Powerco
\(^{118}\) S11/044 by Transpower
\(^{119}\) Support S5/024 by Horizons
\(^{120}\) S3/015 by Heritage NZ Pouhere Taonga
\(^{121}\) Support S5/025 by Horizons
\(^{122}\) S16/047 by Powerco, S20/025 by First Gas and S11/045 by Transpower
3D.3 Objectives and Policies

Objective 1

To ensure earthworks do not result in adverse effects on the visual amenity, landscape, or historic heritage or cultural values of the area.\textsuperscript{123}

Policies

1.1 To mitigate any visual amenity effects arising from earthworks.

1.2 To restrict earthworks within the area of items scheduled 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), 1E (Buildings and Objects with Heritage Value), and 1F (Sites with Heritage Value)).\textsuperscript{124}

1.3 To restrict earthworks in Outstanding Natural Features or Landscapes as scheduled in Appendix 1C,\textsuperscript{125} except where earthworks are necessary to eliminate\textsuperscript{126} 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.\textsuperscript{127}

1.4 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.\textsuperscript{128}

Objective 2

To ensure that earthworks are designed and undertaken in a manner to minimise the risk of land instability and accelerated erosion visual amenity effects.\textsuperscript{129}

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.\textsuperscript{130}

\textsuperscript{123} S3/016 by Heritage NZ Pouhere Taonga
\textsuperscript{124} S3/018 by Heritage NZ Pouhere Taonga
\textsuperscript{125} S3/019 by Heritage NZ Pouhere Taonga
\textsuperscript{126} S16/048 by Powerco
\textsuperscript{127} S3/020 by Heritage NZ Pouhere Taonga
\textsuperscript{128} S16/050 by Powerco and S21/011 by the Oil Companies
\textsuperscript{129} S16/049 by Powerco and S21/010 by the Oil Companies
\textsuperscript{130} S16/050 by Powerco and S21/011 by the Oil Companies
2.2 To manage the scale of earthworks on sites susceptible to erosion and land instability.\textsuperscript{131}

2.3 To require rehabilitation measures be undertaken to avoid accelerated erosion following earthworks.\textsuperscript{132}

2.4 To ensure all adverse effects from earthworks including dust and sediment run-off are managed onsite\textsuperscript{133} so that particulate matter does not cause a nuisance or affect the safety or operation of other activities.\textsuperscript{134}

2.5 To ensure that earthworks do not affect the functioning of\textsuperscript{135} 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.\textsuperscript{136}

**Policies**

3.1 To control earthworks within the National Grid Yard to ensure the continued safe, effective and efficient access to and operation, maintenance and upgrading of the National Grid.\textsuperscript{137}

3.2 To control earthworks near infrastructure of regional and national importance to ensure their safe and efficient operation, maintenance and upgrading.\textsuperscript{138}

**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**

\textsuperscript{131} Support S5/032 by Horizons
\textsuperscript{132} Support S5/033 by Horizons
\textsuperscript{133} Support S5/034 by Horizons
\textsuperscript{134} S16/051 by Powerco
\textsuperscript{135} S5/035 by Horizons
\textsuperscript{136} Support S5/036 by Horizons and S11/046 by Transpower
\textsuperscript{137} S11/047 by Transpower
\textsuperscript{138} Support S5/038 by Horizons and S20/027 by First Gas
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.

A. 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 65m from the visible edge of a tower support structure foundation.

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c. Earthworks for the purposes of burying material infected by unwanted organisms as declared by the Minister under the Biosecurity Act 1993. 141

Guidance Notes:

1. Water takes, diversions, discharges and Earthworks are also regulated by the Manawatu-Wanganui Regional Council and a resource consent maybe required under the rules of the One Plan. 142

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). It is an offence to modify or destroy an archaeological site or destroy an archaeological site or demolish/destroy a whole building if the person knows or reasonably suspects it to be an archaeological site. An archaeological site is any place, including any building or structure (or part of), that:

139 S11/048 by Transpower

140 S11/048, S11/049, S11/050 and S11/054 by Transpower

141 S23/018 by Horticulture NZ

142 SS/043 by Horizons
• was associated with human activity or the site of a wreck of a vessel that occurred before 1900; and
• provides or may provide, through archaeological investigation, evidence relating to the history of New Zealand.  

3. The disposal of contaminated material, including unwanted organisms, may require resource consent from the Manawatu-Wanganui Regional Council under the rules of the One Plan.

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, maintained during the construction works, and only removed once stabilisation occurs.

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

For National Grid support poles and stay wires:

i. depth shall be no greater than 300mm within 2.2m of the pole or stay wire; and

ii. depth shall be no greater than 750mm between 2.2m and 5m of the pole or stay wire.

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143 S3/021 by Heritage NZ Pouhere Taonga
144 S23/018 by Horticulture NZ
145 S23/018 by Horticulture NZ
146 S16/052 by Powerco and S21/012 by the Oil Companies
For National Grid support towers (including any tubular steel tower that replaces a steel lattice tower):

iii. depth shall be no greater than 300mm within 6m of the outer edge of the visible foundation of the tower; and

iv. depth shall be no greater than 3m between 6m and 12m of the outer edge of the visible foundation of the tower; and

v. Shall not compromise the stability of a National Grid support structure; and

vi. Shall not result in a reduction in the ground to conductor clearance distances below what is required by Table 4 of NZECP34:2001.

Provided that the following earthwork activities are exempt from the provisions above:

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 65m from the visible edge of a tower support structure foundation.

vii.—Exceed a depth (measured vertically) of 300mm within a distance measured 12m from the outer visible edge of any National Grid Tower, and

viii.—Create an unstable batter that will affect a transmission support structure, and

ix.—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

147 S11/048 by Transpower
is mandatory. Compliance with the permitted activity standards of the Plan does not ensure compliance with the Code of Practice.\textsuperscript{148}

g. No earthworks, buildings or structures can be undertaken or erected within 20m of a natural gas transmission pipeline.\textsuperscript{149}

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.\textsuperscript{150}

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:

\textsuperscript{148} Support S16/054 by Powerco
\textsuperscript{149} Support S20/028 by First Gas
\textsuperscript{150} Support S5/044 by Horizons
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, or any subsequent Regional 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 or high pressure gas transmission line, the owners of the electrical or gas network should be advised of the intention to carry out the works not less than 5 working days prior to their commencement.

5. Earthworks that may or will modify or destroy an archaeological site 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). It is an offence to modify or destroy an archaeological site or demolish/destroy a whole building if the person knows or reasonably suspects it to be an archaeological site. An archaeological site is any place, including any buildings or structure (or part of), that:

- was associated with human activity or the site of a wreck of a vessel that occurred before 1900; and
- provides or may provide, through archaeological investigation, evidence relating to the history of New Zealand.

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.f (i) – (iv) above.

For this activity, the Council has restricted its discretion to considering the following matters, only to the extent that they are relevant to the standard that is not met:

- Any effects on the operation of the National Grid

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151 S5/045 by Horizons
152 S2/029 by First Gas
153 S3/022 by Heritage NZ Pouhere Taonga
154 S16/038 by Powerco
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 corridor, or in the Natural Grid Yard that do not comply with 3D.4.2(f)(v) or (vi) is a Non-Complying Activity.

155 S16/019, S16/020 and S16/036 by Powerco
156 S11/048 by Transpower
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. Legislation can require that hazard or risk identification and site safety signage is provided on a site. For avoidance of doubt, these signs are not controlled by the Plan, provided the legislative requirements are met.\(^{157}\)

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.

\(^{157}\) S16/056 by Powerco and S21/013 by the Oil Companies
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.158

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:159

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.

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158 Support S7/030 by NZ Transport Agency
159 Support S7/031 by NZ Transport Agency
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.\(^{160}\)

3F.4 Rules

\(^{160}\) S16/057 by Powerco and S21/014 by Oil Companies
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 [except temporary network utility structures supporting an event] 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.
   v. Temporary network utility structures supporting an event must be easily moveable, and erected for a duration not exceeding 5 consecutive weeks.

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.

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161 Support S11/051 by Transpower
162 S17/030 by Spark and S18/031 by Chorus
163 S17/030 by Spark and S18/031 by Chorus
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.

Guidance Note: For guidance on vibration Council recommends District Plan users refer to the NZ Transport Agency State highway construction and maintenance noise and vibration guide dated August 2013 for best practice.¹⁶⁴

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.

¹⁶⁴ S21/015 by the Oil Companies, S16/058 by Powerco and S18/031 by Chorus
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 scheduled in Schedule 4a and Appendix 1E (Buildings and Objects with Heritage Value) 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 reinstatement remedial works will ensure the building maintains the visual amenity values of the surrounding area.

Policies

1.1 To ensure any reinstatement remedial and upgrading works undertaken are completed in a timely and efficient manner.

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165 S3/025 by Heritage NZ Pouhere Taonga
166 S9/001 by House Movers
167 S9/001 by House Movers
1.2 To ensure any reinstatement 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 reinstatement 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 Permitted Activities

The following are permitted activities provided that they comply with the standards in Rule 3G.4.2:

a. In the Outer Business, Industrial, Residential and Village zones
   i. Relocated buildings up to and including 40m² in gross floor area.
   ii. New buildings that are designed and purpose built to be relocated.

b. All relocated buildings in the Rural Zone, Outer Business and Industrial zones.

3G.4.2 Standards for Permitted Activities

The permitted activities specified in Rule 3G.4.1 above must comply with the following conditions:

a. Any relocated building intended for use as a dwelling must have previously been designed, built and used as a dwelling.

b. The relocated building must be installed on permanent foundations immediately upon delivery to the destination site.

c. The relocated building is not located within the Flood Channel Zone.

d. Compliance with all standards specified for permitted activities in the relevant zone and other parts of this Plan.

e. A building pre-inspection report shall be submitted by the owner of the relocated building to the Council at the same time as an application is made for a building consent for the relocated building. That report shall be on the form contained in

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168 S9/001 by House Movers
169 S9/001 by House Movers
170 S9/001 by House Movers
Appendix 3G.1 and is to identify all reinstatement works that are to be completed to
the exterior of the building to achieve a workmanlike standard and tidy
appearance.\textsuperscript{171}

f. The building pre-inspection report shall be prepared by:

- A licenced building practitioner (carpenter or design category); or
- A building inspector from the local authority where the building is being relocated
  from.

g. All reinstatement work required by the Condition Table in Section 2.0 of the building
pre-inspection report (in Appendix 3G.1) to reinstate the exterior of any relocated
building shall be completed within 12 months of the building being delivered to the
destination site.

h. The owner must complete the Owner Certificate and Declaration in Section 7.0 of the
building pre-inspection report (in Appendix 3G.1) to certify to the Council that all the
reinstatement work will be completed within 12 months of the building being
delivered to the destination site.\textsuperscript{172}

i. The relocated building owner will supply to the Council photos showing the exterior
of the building 12 months after relocation to show the reinstatement works required
by Condition Table 2.0 of the Building Pre-Inspection Report have been achieved.\textsuperscript{173}

3G.4.3 Controlled Activities

Any relocated building that is not provided for as a permitted activity under Rule 3G.4.1
or does not meet the Performance Standards in Rule 3G.4.2 is a controlled activity,
provided they comply with the following standards:

a. Any relocated building intended for use as a dwelling must have previously been
designed, built and used as a dwelling;

b. The relocated building is not located within the Flood Channel Zone.

c. Compliance with all standards specified for permitted activities in the relevant zone
and other parts of this Plan.

d. A building pre-inspection report shall be submitted by the owner of the relocated
building to the Council at the same time as an application is made for a building
consent for the relocated building. That report shall be on the form contained in
Appendix 3G.1 and is to identify all reinstatement works that are to be completed to
the exterior of the building to ensure the visual amenity of the area where the building
is to be located is maintained.

\textsuperscript{171} S9/001 by House Movers
\textsuperscript{172} S9/001 by House Movers
\textsuperscript{173} S9/001 by House Movers
e. The owner must complete the Owner Certificate and Declaration in Section 7.0 of the building pre-inspection report (in Appendix 3G.1) to certify to the Council that all the reinstatement work will be completed within 12 months of the building being delivered to the site.\footnote{174}

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.\footnote{175}

d. Compliance with all standards specified for permitted activities in the relevant zone and other parts of this Plan.\footnote{176}

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

- Requirements for \textit{remedial reinstatement works} and upgrading the exterior of the building to ensure visual amenity of the surrounding area is maintained.
o The time allowed for remedial reinstatement\textsuperscript{178} works and upgrading of the exterior of the building 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 suitably qualified and experienced person.\textsuperscript{178}

o The immediate installation of the relocated building onto permanent foundations upon delivery to the destination site.

o The suitability of the relocated building for the intended reuse.

o How the age and character of the building is consistent with the level of amenity in the surrounding environment.

o How the standards for permitted activities in the relevant zone and other parts of this Plan have been met.

**3G.4.42 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 or limited 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)).\textsuperscript{179}

**3G.4.53 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 Permitted and\textsuperscript{180} Controlled Activity standards or does not comply with the relevant Permitted Activity standards in all other parts of the District Plan.

\textsuperscript{178} S9/001 by House Movers
\textsuperscript{179} S9/001 by House Movers
\textsuperscript{180} S9/001 by House Movers
\textsuperscript{181} S9/001 by House Movers
For this activity, the Council has restricted its discretion to considering the following matters, only to the extent that they are relevant to the standard that is not met:\textsuperscript{182}

- 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.\textsuperscript{183}

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 reinstatement\textsuperscript{184} works and upgrading to ensure visual amenity of the surrounding area is maintained, including landscaping proposed.\textsuperscript{185}

v. The proposed time for remedial reinstatement\textsuperscript{186} 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.\textsuperscript{187}

\section*{3G.4.64 Discretionary Activities}

\textsuperscript{182} S16/038 by Powerco
\textsuperscript{183} S9/001 by House Movers
\textsuperscript{184} S9/001 by House Movers
\textsuperscript{185} S9/001 by House Movers
\textsuperscript{186} S9/001 by House Movers
\textsuperscript{187} S9/001 by House Movers
Any relocated building not provided for as a Permitted[^188] Controlled or Restricted Discretionary Activity or is located in the Flood Channel Zone is a Discretionary Activity[^189].

[^188]: S9/001 by House Movers
[^189]: Support SS/040 by Horizons
Appendix 3G.1 Building Pre-Inspection Report

Building Pre-Inspection Report

[insert new location address]

[insert District]

For: Manawatu District Council

[insert date of report]
1.0 GENERAL INFORMATION

1.1 Introduction

This Building Pre-Inspection Report has been prepared in accordance with the requirements of the Manawatu District Plan. It accurately records the external condition of the building to be relocated and sets out to establish all reinstatement works required to the exterior of the building after it has been relocated to a workmanlike standard and to achieve a tidy appearance to meet requirements of the District Plan.

Limited inspection of the interior has been undertaken for the purpose of the building consent application which must be lodged with the Manawatu District Council at the same time as this Report is submitted to the Council.

The Condition Table set out in Section 2 of this Report and associated photographs assist in providing a representation of the condition of the building prior to the commencement of the relocation.

The Report confirms whether the building is considered Safe and Sanitary.

The Report also identifies site-specific requirements including but not limited to the requirement for; the construction of the new foundations, new retaining walls, service connections, water and sewerage treatment (if applicable).

The Report also provides photographs of the surroundings of the destination site. These photos provide context for the standard to be achieved in reinstating the relocated building.

The Report must be read in conjunction with the condition table and photographs provided, which assist in providing a representation of the condition of the premises prior to the commencement of the relocation.

The Report has been prepared by [Name] of [Company Name] as per our instruction/agreement dated [date] on behalf of our clients [Name] in accordance with the requirements of the Manawatu District Plan.

1.2 Applicants Contact Details

<table>
<thead>
<tr>
<th>Applicant</th>
<th>[Applicant (clients) name]</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contact address:</td>
<td>[Contact address]</td>
</tr>
<tr>
<td>Telephone:</td>
<td></td>
</tr>
<tr>
<td>Email:</td>
<td></td>
</tr>
<tr>
<td>Any Additional information:</td>
<td></td>
</tr>
</tbody>
</table>
Agent: [Authorised agent’s name]

Contact address: [Contact address]

Telephone:

Email:

Any Additional information:

<table>
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<th>1.3 Building details</th>
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<tbody>
<tr>
<td><strong>Type of building</strong></td>
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<tr>
<td><strong>Approximate age of building:</strong></td>
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<td><strong>Brief Description:</strong></td>
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<td><strong>Proposed site address:</strong></td>
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<tr>
<td><strong>Site address where the building was inspected:</strong></td>
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<td><strong>Proposed Use of Building</strong></td>
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<td><strong>Previous Use of the Building</strong></td>
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<td><strong>Is the building being split for transportation</strong></td>
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<td><strong>Will the split affect wall cladding</strong></td>
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<td><strong>Will the split affect roof cladding</strong></td>
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<tr>
<td><strong>Inspection Dates &amp; Weather:</strong></td>
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<td><strong>Inspection by:</strong></td>
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<td><strong>Other persons present:</strong></td>
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<td><strong>Building Consent Status</strong></td>
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1.4 Site characteristics

[This section may be filled in by the owner of the destination site]

<table>
<thead>
<tr>
<th>Existing character of the site</th>
<th>[Description of the site where the relocated building is to be located]</th>
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</table>

<table>
<thead>
<tr>
<th>Topography of the surrounding environment</th>
<th>[Description of the surrounding environment, is it hilly, flat, building concealed from the road, etc]</th>
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</table>

<table>
<thead>
<tr>
<th>Areas of Vegetation on and around the site</th>
<th>[Description of the vegetation on site, proximity of the building location to any areas of indigenous vegetation]</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Areas of any cultural or heritage value identified in the District Plan</th>
<th>[Description of any cultural or heritage values on or near the site]</th>
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</thead>
</table>

1.5 Areas assessed by Licensed Building Practitioner

Describe how the building was inspected.

Example:

The external envelope of the subject building viewed from ground floor level and where safely accessed by ladder from ground level.

Internally, our inspection was limited to those parts of the buildings that could be safely accessed and a head and shoulders inspection of the roof space.

Access was gained into the subfloor space...

1.64 Reporting Conditions

This Report has been prepared under the following conditions of engagement:

- The building inspection undertaken for the purpose of this Report survey is based on a visual inspection only; therefore it is not possible to guarantee that all concealed areas containing defects will be accessible (floor voids, roof voids, etc). No intrusive investigation will therefore be undertaken.

- Signs of water ingress will be searched for during the building inspection undertaken for the purpose of this Report completion of the survey, however the Report cannot warrant that the building is free from water penetration, from defective roofing, cladding, rainwater goods, rising damp or the like unless evident at the time of our visual survey.

- Only areas where safe access is possible have been inspected.

- The Report is provided for the use of the client applicant identified in section 1.1 of this Report and the Manawatu District Council and may not be used by others without written permission by those parties. The writer of this Report accepts no liability to third parties who may act on the report.

- This Report must be read in conjunction with photograph and condition tables provided.

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290 S9/001 by House Movers
291 S9/001 by House Movers
• This Report is for the purposes of meeting the requirements of the Manawatu District Plan. It is not a Report to address matters required by the Building Act 2004. A building consent is required for the relocation of this building and all subsequent works as a consequence. The building work must be designed and undertaken by Licensed Building Practitioners. The Report also requires a safe and sanitary declaration for the purposes of the Building Act 2004.

1.75 Exclusions

This report does not include comment about the following:

a) The structure of the building unless otherwise commented upon;
b) The surrounding neighbourhood;
c) The value of the property;
d) Illegal Works; and
e) Internal condition of the building unless otherwise commented upon.

Additionally, no search has been made of:

f) Local Authority rates;
g) Government Valuation; or
h) LIM or PIM reports.

1.86 Definitions

The following defines the condition comments of the elements surveyed:

Good: Items that have suffered minimal weathering, wear or decay and are free from any visual defects.

Reasonable: Items that have worn through ‘normal’ use and weathering, and is in commensurate condition to the building age and use.

Poor: Items that are worn, decayed or weathered either due to the age, abnormal use or lack of maintenance.

1.7 Areas Accessed

Example:

The external envelope of the subject building viewed from ground floor level and where safely accessed by ladder from ground level.

Internally, our inspection was limited to those parts of the buildings that could be safely accessed and a head and shoulders inspection of the roof space.

Access was gained into the subfloor space...
### Condition Table

<table>
<thead>
<tr>
<th>Item</th>
<th>Construction Element</th>
<th>Description</th>
<th>Condition</th>
<th>Required Upgrades &amp; Comments</th>
<th>Photograph</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Roof</td>
<td>[Corrugated iron/fibre cement sheet, concrete tile, metal tile, butynol membrane, other]</td>
<td>[Good/Reasonable/Poor]</td>
<td>[None/ Repaint/ Re-roof etc Additional comments required if the roof was removed during relocation]</td>
<td>[Insert multiple photographs if/as required under any of the below sub-headings.]</td>
</tr>
<tr>
<td>2</td>
<td>Spouting and Downpipes</td>
<td>[PVC, metal, butynol membrane, other]</td>
<td>[Good/Reasonable/Poor]</td>
<td>[None/ Repaint/ Replace etc Example: Repair all timber fascias, barges as well as rainwater goods to ensure surface moisture discharges into new Council approved outlet at new site location.]</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Wall Cladding</td>
<td>[Fibre cement weatherboard/ sheet, timber weatherboard, Board and batten, metal sidings, other]</td>
<td>[Good/Reasonable/Poor]</td>
<td>[None/ Repaint/ Replace etc]</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Foundation cladding</td>
<td>[Baseboards (likely to have been removed)]</td>
<td>NA</td>
<td>[Good/ Reasonable/ Poor]</td>
<td>[Foundation cladding is to be installed as specified in the Building Consent]</td>
</tr>
<tr>
<td>5</td>
<td>Window and Door Joinery</td>
<td>[Powder coated aluminium, timber, steel, single glazed, double glazed]</td>
<td>[Good/Reasonable/Poor]</td>
<td>[None/ Install new joinery/Repair and redecorate existing joinery Example: Repair and repaint window and door joinery. Replace all broken glass immediately after relocation.]</td>
<td></td>
</tr>
</tbody>
</table>
3.0 BUILDING ACT REQUIREMENTS

This Report is for purposes required by the District Plan. It is not a report to address matters required by the Building Act.

A building consent is required for the relocation of this building and all subsequent works as a consequence. The building work must be designed and undertaken by Licensed Building Practitioners with the appropriate category of licence (certain homeowner exemptions may apply). This Pre-inspection Report must be submitted to council with an application for building consent.

The building consent documents must be provided to council along with the appropriate fees and proof of ownership (Certificate of Title less than 3 months old or sale and purchase agreement for the proposed site).

The site specifics must be appropriately designed to include foundations, considering, layout, sizing, position, bracing, ventilation, access etc.

3.1 SAFE AND SANITARY

Comment is required.

Building Surveyor MUST give a declaration regarding whether the building is/isn’t Safe and Sanitary.

Note:

If the building is not considered safe and sanitary then give reasons. (example: evidence of leaky building)

3.2 HEALTH & SAFETY

Set out below is a description of the health and safety concerns identified.

Example:

Building materials identified are suspected to contain asbestos. This includes, but not limited to fibre cement claddings, vinyl flooring and soffit linings. Asbestos is relatively safe when encapsulated, but is dangerous to health when fibres become airborne. This can occur when the building materials are damaged or become degraded.

No specialist laboratory testing has been carried out to confirm the presence or absence of asbestos or any other material hazardous to health. All comments are based upon a visual inspection only.

It is recommended that a specialist asbestos surveyor be instructed to identify the risks present.
4.0 ESTIMATE OF COSTS OF EXTERNAL REINSTATEMENT WORKS

The estimate of costs of external reinstatement works is the sum of [     to insert     ]

Note:

Allow a contingency sum for any damage in transit

“Reinstatement Works” means the extent of the work required to the exterior of the Relocated Building as specified in the Building Pre-Inspection Report for the purposes of the District Plan. The exterior reinstatement works will not include matters regulated by the building legislation or connection to foundations; but may include matters required by the District Plan for work to be undertaken and completed to the exterior of the building to a workmanlike standard and to achieve a tidy appearance, including, without limitation:

(a) Repair of broken windows and window frames;

(b) Repair of rotten weatherboards or other damaged wall cladding;

(c) Necessary replacement or repair of roof materials;

(d) Cleaning and/or painting of the exterior where necessary e.g. roof, walls, window frames etc;

(e) Repair of transit damage; and/or

(f) Replacement and painting of baseboards or other foundation cladding.

35.0 LICENSED BUILDING SURVEYORS PRACTITIONER SIGNATURE

I, certify that the information provided is true and correct and that the building described above appears to have complied applied with the relevant Building Regulations at the time of its construction, and (if a dwelling) the building has been previously designed, built and used as a dwelling (Except previously used garage and ancillary buildings).

Author

[Name]

Signed:

Peer Reviewer

[Name]

If undertaken/available

Qualifications LBP Category, BOINZ, RICS, NZIBS, ANZIA etc

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46.0 OWNER CERTIFICATE AND DECLARATION

As a requirement of the [insert council name] Manawatu District Plan/Resource Consent, I/we ________________ CERTIFY that I/we will ensure that within 12 months from the building being delivered to the destination site the reinstatement work required in the Condition Table in Section 2.0 of this Report will be completed. Buildings external reinstatement, infrastructure, closing in, ventilation of foundations, and connections to services (mains or private) will be completed.

I acknowledge that failure to complete any reinstatement mandatory work identified in the Condition Table in Section 2.0 ‘Mandatory Condition Table’ relating to the reinstatement of the building may lead to the Manawatu District Council taking action under the terms of the Relocated Buildings Bond and/or enforcement action under the Building Act 2004, or Resource Management Act 1991, including by way of a notice to fix, infringement notice, abatement notice, enforcement order, or prosecution. This report does not restrict the Council to undertake enforcement action under other legislation.

I acknowledge that Council can charge a fee to cover the costs of monitoring inspections necessary to ensure the reinstatement work required in the Condition Table in Section 2.0 of this Report is completed. This fee is stated in the Council’s Fees and Charges Schedule. Should the reinstatement work not be completed within 12 months of the building being delivered to the destination site I/we understand that a resource consent application is required for the relocated building. I acknowledge that where reinstatement work is not completed within 12 months of the building being delivered to the destination site that a resource consent application will be required for the relocated building. I understand that the Council may charge fees from time to time for activities relating to relocated buildings, as set out in its Annual Fees and Charges.

I certify that the description of the destination site and accompanying photos are true and correct.

I will provide to the Council photos showing the exterior of the building 12 months after relocation to show the reinstatement works required by Condition Table 2.0 of the Building Pre-Inspection Report have been achieved.
Chapter 3 – District Wide Rules – Relocated Buildings

Signed:………………………………………… (PRINT)…………………………………………
Owner

Signed:………………………………………… (PRINT)…………………………………………
Owner

Signed:………………………………………… (PRINT)…………………………………………
Owner
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<th>Elevation description i.e. Front Elevation</th>
<th>Elevation description i.e. Rear Elevation</th>
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## Destination Site Photographs

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**MANAWATU DISTRICT COUNCIL PROPOSED DISTRICT PLAN 2016**