

## 3.0 DISTRICT WIDE RULES

### 3.1 Introduction

This chapter contains provisions that apply in the Manawatu District relating to:

- Network utilities:
- Transport
- Noise
- Earthworks
- Signage
- Temporary activities
- Relocated buildings

This chapter should be read along with the relevant zoning provisions. If the zoning rules are more specific than the provisions contained in this chapter, then they shall apply.

## 3A Network Utilities

### 3A.1 Introduction

Network utilities, including infrastructure of regional and national importance, are an essential part of the District's infrastructure. Communities rely on network utilities to function. It is therefore critical the development, operation, upgrading and maintenance of these essential services are managed appropriately to ensure the social, economic and cultural wellbeing of those in the District.

The National Grid is managed and regulated in part by the National Policy Statement on Electricity Transmission 2008 (NPSET) and the Resource Management (National Environmental Standards for Electricity Transmission Activities (NESETA). The NPSET came into effect on 13 March 2008 and recognises the national significance of the National Grid in its entirety. The NPSET facilitates the operation, maintenance and upgrade of the existing National Grid network and the establishment of new National Grid assets. The District Plan is required to give effect to the NPSET.

The NESETA came into effect on 14 January 2010. The NESETA sets out a national framework for permissions and consent requirements for activities on National Grid lines existing at 14 January 2010. Activities include the operation, maintenance and upgrading of existing lines but exclude the development of new lines and substations. The NESETA must not be in conflict with nor duplicate the provisions of the NESETA.

The Manawatu Wanganui Regional Council's One Plan also recognises the regional and national importance of a range of infrastructure in the region. The Regional Policy Statement section of the One Plan (RPS) requires that councils have regard to the benefits that derive from regionally and nationally important infrastructure and utilities, and that the establishment, operation, maintenance and upgrading of such infrastructure be provided for in the District Plan. The RPS also requires that the Council ensure that adverse effects from other activities on network utility infrastructure are avoided as reasonably practicable.

This chapter provides clarification to network utility operators for activities that can be undertaken without a resource consent, and the parameters these activities must comply with. The District Plan provides for a large range of works to be permitted subject to performance standards.

Subdivision, use and development can adversely impact surrounding network utilities. Therefore, additional provisions relating to setbacks from key network utilities are included in the Chapter 8 - Subdivision. Earthworks when undertaken in proximity to network utilities can undermine the infrastructure asset. Provisions restricting earthworks near some network utilities are contained in the earthworks section of this chapter.

### 3A.2 Resource Management Issues

The following resource management issues have been identified in relation to network utilities:

1. To provide for the safe, effective and efficient operation of network utilities, including infrastructure of regional and national importance.
2. Recognising that network utilities have technical and operational requirements that may dictate their location and design.
3. The safe, effective and efficient operation, upgrading and maintenance of network utilities can be put at risk by inappropriate subdivision, use and development.
4. The need to balance the visual amenity effects of network utilities against their locational needs.
5. The need to manage the disposal of solid waste material by reusing and recycling where possible, while avoiding the use of contaminated soils.
6. Recognising the constraints on existing network utilities when considering new development.
7. Potential effects from electromagnetic and other forms of radiation.

### 3A.3 Objectives and Policies

#### Objective 1

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

#### Policies

- 1.1 To enable the establishment, operation, maintenance and minor upgrading of network utilities.
- 1.2 To encourage network utility operators to coordinate and co-locate services or to locate within the existing roading network where possible to minimise potential cumulative effects.
- 1.3 To require that all new cables and lines, including electricity distribution lines (but not the National Grid) are installed underground.
- 1.4 To recognise the locational, technical and operational requirements of network utilities and the contribution they make to the functioning and wellbeing of the community.
- 1.5 To ensure network utilities are constructed and located in a manner sensitive to the amenity and landscape values where they are located.

#### Objective 2

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

#### Policies

- 2.1 To ensure that any vegetation is planted and maintained to avoid interference with network utilities, including transmission lines and the National Grid Yard.
- 2.2 To require that appropriate separation of activities is maintained to enable the safe operation of network utilities, and avoid reverse sensitivity issues.
- 2.3 To ensure all subdivision and development is designed to avoid adverse effects on the operation, access, maintenance and upgrading of network utilities.

### Objective 3

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

### Policies

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

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

## 3A.4 Rules

Rules in this chapter apply District-wide and the chapter needs to be read in conjunction with the District Plan maps, relevant appendices and provisions of the applicable zone.

### 3A.4.1 Permitted Activities

The following network utilities are Permitted Activities throughout the District, provided that they comply with the standards in Rule 3A.4.2 below:

- a. The operation, maintenance, minor upgrading or repair of network utilities existing as at [add decision date] or which have been lawfully established.
- b. Construction, operation, maintenance, realignment and upgrading of roads and railway lines within the road reserve or railway corridor.
- c. Radiocommunication and/or telecommunication facilities, cables and lines, including those underground.
- d. Underground pumping stations and pipe networks for the conveyance or drainage of water or sewage, and necessary incidental equipment.
- e. Water storage tanks, reservoirs and wells, including pump stations.
- f. Pipes for the distribution (but not transmission) of natural or manufactured gas at a gauge pressure not exceeding 2000kPa including any necessary ancillary equipment such as household connections and compressor stations.

- g. The construction, operation, maintenance and upgrading of any new electricity lines up to and including 110kV and associated transformers and switchgear.
- h. Soil conservation, erosion protection, river control or flood protection works undertaken by, or on behalf of the Manawatu Wanganui Regional Council.
- i. Land drainage, stormwater control or irrigation works including pump stations.
- j. Railway crossing warning devices and barrier arms.
- k. Trig stations and survey marks.
- l. Navigational aids, lighthouses and beacons.
- m. Meteorological instruments and facilities.
- n. Decommissioning and removal of utilities.
- o. Electric vehicle charging stations.

#### **Guidance Notes:**

1. The provisions of the National Environmental Standard for Telecommunications Facilities (2008) apply and resource consent may be required under those Standards.
2. Earthworks are also regulated by the Manawatu-Wanganui Regional Council and a resource consent maybe required under the rules of the One Plan.
3. The National Environmental Standard for Electricity Transmission Activities (2010) (NESETA) sets out a national framework of permission and consent requirements for activities on National Grid lines existing at 14 January 2010. Activities include the operation, maintenance and upgrading of existing lines but exclude the development of new lines (post 14 January 2010) and substations. The District Plan must not be in conflict with nor duplicate the provisions of the NESETA.
4. Vegetation and planting around Transmission Lines (National Grid) shall comply with the Electricity (Hazards from Trees) Regulations 2003.
5. The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) contains restrictions on the location of structures and activities in relation to the lines.

#### **3A.4.2 Standards for Permitted Activities**

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

a. New network utilities and minor upgrading must not exceed a maximum height of

i. 9m within the Residential or Village Zone, or

ii. 20m for all other zones.

**Guidance Note:** antennas or lightning rods that do not extend 3m above the height of the building or mast are excluded from the 9m or 20m limit above. The mast heights provided in i and ii above can be increased by 5m if the mast is used by more than one telecommunications provider. Refer also to Clause f relating to transmission line requirements.

b. Any mast with a height of more than 9m must not be located within 20m of any site zoned Residential or Village.

c. All masts must be set back 20m from a road reserve on any site zoned Rural or Flood Channel.

d. No mast, building or structure may be located closer than 5m to any site boundary. This 5m yard does not apply to buildings with a floor area of less than 10m<sup>2</sup>, or to overhead lines and cables.

e. Telecommunication cabinets must not exceed 10m<sup>2</sup> in area in all zones, except in Flood Channel Zone where cabinets must not exceed 5m<sup>2</sup> in area.

f. Poles or towers associated with electricity transmission and distribution must not exceed a height of:

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

ii. 20m in all other zones.

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

i. Comply with the New Zealand Code of Practice for Electrical Safe Distances 2001 (NZECP34:2001), and

ii. Not exceed a maximum height of 2.5m and an area of 10m<sup>2</sup>.

h. Any radiocommunication and/or telecommunication facility must be designed and operated to comply with the maximum exposure levels (3kHz to 300 GHz) as prescribed by NZ Standard NZS2772.1:1999 Radiofrequency Fields.

i. No dish antenna will exceed a diameter of:

i. 2.5 metres in the Residential Zone, or

ii. 5m in all other zones.

j. Where network utilities are located underground, any disturbance of the ground surface and any vegetation must be reinstated or replaced upon completion of the works within the first available planting season.

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

k. For any construction work associated with any infrastructure that is undertaken in the legal road, the person responsible for that work must be able to demonstrate compliance with the National Code of Practice for Utility Operators Access to Transport Corridors (2011).

l. Works associated with any network utility, except within an existing road carriageway, must not result in adverse effects on the values or characteristics for any significant historic built or natural heritage specified in Appendix 1A (Wetlands, Lakes, Rivers and their Margins), 1B (Significant Areas of Indigenous Forest/Vegetation (excluding Reserves), 1C (Outstanding Natural Features), 1D (Trees with Heritage Value) and 1F (Sites with Heritage Value) of this Plan.

m. Exterior lighting must be directed away from public places and adjoining sites, and must avoid any spill of light that may result in safety concerns for road users.

n. Metal cladding or fences must be painted or otherwise treated to mitigate reflection.

o. All road/rail level crossings must be kept clear of buildings and other obstructions which might block sight lines in accordance with Appendix 3B.56.

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

q. All activities must be managed so that no vibration is discernible beyond site boundaries.

r. Electric vehicle charging stations must not exceed 1.52 in area and 1.8m in height per charging station in all zones.

**Guidance Notes:**

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

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

3. Buildings, structures and other activities near transmission gas lines should be managed according to the Operating Code Standard for Pipelines – Gas and Petroleum (NZS/AS 2885) and the Gas Distribution Networks (NZS 5258:2003).
4. Compliance with the permitted activity standards in Rule 3A.4.2 does not necessarily ensure compliance with the relevant code of practice identified above.
5. Sounds generated by construction, maintenance and demolition activities will be assessed, predicted, measured, managed and controlled by reference to NZS6803:1999 Acoustics – Construction Noise.

### 3A.4.3 Restricted Discretionary

The following activities are Restricted Discretionary Activities in respect to network utilities:

- a. Any permitted activity that does not comply with any of the relevant standards in Rule 3A.4.2.

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

- o scale of built form and location on site, including height
- o screening, storage and landscaping
- o traffic generation, site access and parking
- o noise and vibration
- o signage
- o lighting
- o effects on heritage
- o known effects on the health and safety of nearby residents.

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

- i. the proposed benefits of the network utility proposal to the wider community.
- ii. whether the activity will result in any adverse effects on amenity values of neighbouring properties or the character of the zone in which the activity is proposed.

- iii. whether the application remains consistent with the intention of the standard(s) it infringes.
- iv. the degree to which the non-compliance can be mitigated to ensure the effects are internalised to the site.
- v. the degree to which co-location has been considered and is possible.
- vi. whether the activity impacts on the heritage of the District and how such impacts are mitigated.
- vii. the degree to which the proposed location, site or route is better than alternative locations, sites, or routes.
- viii. the degree to which the proposed facility may affect the performance of other utilities nearby.
- ix. the technical and operational needs for the efficient functioning of the network utility.

#### 3A.4.4 Discretionary

Any network utility not otherwise specified as Permitted, Restricted Discretionary or Non-Complying Activity, or is not specifically provided for in this Plan, shall be a Discretionary Activity.

#### 3A.4.5 Non-Complying

Any network utility located within an Outstanding Natural Feature or Landscape in Appendix 1C is a Non-Complying Activity.

## 3B Transport

### 3B.1 Introduction

The transport network is vital infrastructure in the District, which physically connects the Manawatu District communities and the wider Manawatu Region enabling economic growth. The transport network in this chapter refers to both the road and rail networks throughout the Manawatu District.

Traffic generated by new land uses has the potential to increase the risk of accidents. Careful planning of access ways, land use development near key roads and controlling the type and location of vehicle intensive activities establishing near highways or key roads within the District can ensure efficient through movement.

Primary industry relies heavily on key transportation routes in the District. The Roding Hierarchy identifies these routes and the District Plan seeks to manage activities to avoid unnecessary conflict. A number of State Highways traverse the District and recognition of the role of NZTA in managing these routes is noted throughout the chapter. There are some instances where approval from NZTA as the road controlling authority for the State Highway network is required.

Most of the State Highways running through the District are “Limited Access Roads”. This means that the NZ Transport Agency (or the Council for State Highways within urban areas) has control over the number and location of new vehicle crossings and over new subdivision adjoining these roads. If a proposal meets this Plan’s standards, however, approval from the NZ Transport Agency will be a formality.

Increasing national priority is being given to recognising and providing for alternative transportation methods, such as cycling, walking and passenger transport.

### 3B.2 Resource Management Issues

The following resource management issues have been identified in relation to transportation:

1. Potential effects from development on the safety and efficiency of the transport network.
2. The need to plan for and design roads to ensure they function in accordance with their status in the Roding 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 Roding Hierarchy in Appendix 3B.1, of the road concerned.
- c. Preventing vegetation, signs and structures from obscuring official signs or posing a risk to road users.
- d. Providing appropriate facilities for pedestrians and cyclists, particularly in urban areas.
- e. Ensuring that new vegetation plantings are managed to maintain adequate visibility at road intersections and property accesses, and to minimise icing of roads.

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

- a. Limiting the number of new vehicle crossings onto all roads.
- b. Requiring all accesses onto roads to be built to a standard that is appropriate for their intended use.
- c. Ensuring that property accesses are spaced, constructed and used in a manner which does not disrupt traffic flows.
- d. Ensuring that traffic generation to and from sites is managed through car equivalent movements to ensure traffic, including heavy vehicles, are compatible with the roading network.

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

#### Objective 2

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

### **Policies**

- 2.1 To establish and maintain a roading hierarchy for roads in the District.
- 2.2 To recognise the importance of maintaining the safety and efficiency of the District's roading network.
- 2.3 To restrict the through movement of traffic where this can have adverse effects on visual, noise and safety on adjacent residential uses.
- 2.4 To promote corridor management for key road routes within the District, which may include restricting or encouraging the through movement of vehicles.
- 2.5 To enable the development of network utilities in the road reserve only where the roading network has the capacity to accommodate them.

### **Objective 3**

To mitigate the adverse effects of roads and vehicles on amenity values of the District.

### **Policies**

- 3.1 To ensure all roads are designed to achieve form and function consistent with the Roding Hierarchy and road cross sections in Appendix 3B.1 and Appendix 3B.2 respectively.
- 3.2 To mitigate the effects of roads and parking areas on visual amenity values through the provision of landscaping.
- 3.3 To support and encourage walking and cycling as alternative modes of transport.
- 3.4 To require that building materials and exterior lighting do not cause reflection or light spill that distracts road users.
- 3.5 To ensure roads are designed recognising alternative modes and the need to provide local road amenity.
- 3.6 To ensure development of new roads is integrated into the existing roading network in a coordinated manner.

## 3B.4 Rules

Rules in this chapter apply District-wide and the chapter needs to be read in conjunction with the District Plan maps, relevant appendices and provisions of the applicable zone. This section includes some rules and some performance standards that relate to permitted activities within each zone in the District.

### 3B.4.1 Roads – Permitted Activity

All roads are a Permitted Activity.

**Guidance Note:** Roads other than State Highways are not designated under this Plan and are zoned instead. The zoning of roads must be the same as that of the adjoining land. If the zoning on opposite sides of the road is different, then the road centreline is the zone boundary.

### 3B.4.2 Access – Permitted Activity

The formation of vehicle crossings onto roads is a Permitted Activity in all zones provided that they comply with the standards in Rule 3B.4.3 below.

**Guidance Note:** All vehicle crossings must be constructed according to Council policy and that Council's vehicle crossing application form is completed and submitted for approval.

### 3B.4.3 Access – Standards for Permitted Activities

For all zones the formation of vehicle crossings onto all roads must comply with the following standards:

- a. All vehicle crossings must be sited in accordance with the minimum sight distances and intersection spacing's as defined in Appendix 3B.3.
- b. Vehicle crossings may only be constructed on Major Arterial Road or Minor Arterial Road identified in Appendix 3B.1 if there is no alternative legal access from the site to another road.
- c. In the Outer Business Zone, vehicle access to sites from SH54/Aorangi Street, between Gladstone St and Eyre Street, must be left turn in and left turn out only.
- d. No new vehicle crossings will be located within 30m of any railway level crossing.

- e. Existing vehicle crossings that are within 30m of a railway level crossing must be maintained to ensure the sightline standards detailed in Appendix 3B.5 are met.
- f. No dwelling or accessory building will have access via an unformed legal road (paper road).
- g. Onsite manoeuvring must be provided for vehicles to enter and exit in a forward direction.
- h. Vehicle crossing movements must not exceed 100 car equivalent movements per day and the car equivalent movements must be calculated in accordance with Appendix 3B.4.
- i. Accessways and vehicle crossings must comply with the sight distances and minimum spacing identified in Appendix 3B.3 Measurement of Sight Distances and Minimum Spacing.

#### **3B.4.4 Glare – Standards for Permitted Activities**

Any Permitted Activity within any zone in the District Plan must also comply with the following glare standards:

- a. Exterior lighting must be directed away from public places and adjoining premises and must avoid any spill of light that may distract road users.
- b. There must be no sun-strike effect on road users resulting from mirrored glazing or unpainted corrugated iron fences.

#### **3B.4.5 Car Parking – Standards for Permitted Activities**

Any activity in the District must also comply with the following car parking standards:

##### **Assessment of Car Parking Requirements**

- a. Car parking requirements must be determined using Table 3B.1 Car Parking Standards, provided onsite and must be assessed in accordance with the following matters:
  - i. Where two or more buildings are located on the same site, car parking requirements for potential activities within each building must be achieved, and
  - ii. For a multi-purpose site where all facilities may be used at one time, the total parking requirements for each facility will have to be provided.

iii. Any fraction under one half resulting from car parking space calculations will be disregarded. Fractions of one half or more will be counted as one car parking space, and

iv. Car parking requirements based on staff numbers will be calculated using fulltime equivalent staff members for the activity concerned.

#### **Car Parking and Manoeuvring Spaces, and Access**

b. Sites outside the area shown in Appendix 3B.6 must provide onsite car parking in accordance with Table 3B.1 Car Parking Standards.

c. Car parking spaces required under Table 3B.1 Car Parking Standards must be provided onsite.

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 and NZS 4121 (2001): Design for Access and Mobility – Buildings and Associated Facilities.

#### **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**

<b>Activity</b>	<b>Car parking Requirements</b>
<b>Assisted living accommodation</b>	<b>1 carpark for every two staff members plus 1 carpark for every three people accommodated.</b>
<b>Catteries and Boarding Kennels</b>	<b>No less than four car-parking spaces.</b>
<b>Commercial Services</b>	<p><b>Medical practitioners – 1 carpark per staff member and 2 patient carparks per practitioner.</b></p> <p><b>Hospitals – 0.7 carparks per bed</b></p> <p><b>Offices and other commercial services – 1 carpark per 40m<sup>2</sup> gross floor area.</b></p>
<b>Community Facilities</b>	<b>1 carpark per 10m<sup>2</sup> gross floor area.</b>
<b>Dwelling and Family Flats</b>	<b>2 carparks per dwelling and 1 park per family flat.</b>
<b>Education Facilities</b>	<p><b>For Pre-Schools and Day Care Centres – 1 carpark per staff member, plus 1 park per 4 children if there is a requirement for parental supervision.</b></p> <p><b>For Primary Schools – 0.7 of a carpark per staff member.</b></p> <p><b>For Secondary Schools – 0.7 of a carpark per staff member plus 1 carpark per 20 students.</b></p> <p><b>For Tertiary Education Facilities – 1 carpark per 10m<sup>2</sup> gross floor area.</b></p>
<b>Entertainment facilities</b>	<b>1 carpark per 4 seats provided.</b>
<b>Funeral parlour</b>	<p><b>Chapels – 1 carpark for every 10 seats provided.</b></p> <p><b>Other Rooms – 1 carpark per 65m<sup>2</sup> gross floor area.</b></p>

<b>Activity</b>	<b>Car parking Requirements</b>
<b>Home occupations</b>	<p>In addition to parking associated with the dwelling – 1 carpark per staff member.</p> <p>Where retail or services are provided from the home occupation, 2 carparks for visitors.</p>
<b>Light Industry and Industry</b>	1 car park per 100m <sup>2</sup> gross floor area. Where retail or services are provided, 2 car parks for visitors.
<b>Supermarkets and large format retail activity exceeding 2,000m<sup>2</sup> gross floor area</b>	1 carpark per 25m <sup>2</sup> gross floor area.
<b>Motor vehicle sales and servicing (office space only)</b>	1 carpark per 40m <sup>2</sup> gross floor area.
<b>Retail Activities under 2000m<sup>2</sup> gross floor area</b>	1 carpark per 40m <sup>2</sup> gross floor area.
<b>Rural and Animal Services</b>	1 carpark per staff member, plus 1 carpark per 50m <sup>2</sup> of gross floor area.
<b>Restaurants</b>	1 carpark per 4 seats.
<b>Service stations</b>	3 carparks per workshop service bay plus 2 per 100m <sup>2</sup> of remaining gross floor area.
<b>Visitor Accommodation</b>	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:

o the safe, efficient and integrated operation of the transport network

o design and appearance of parking areas

o glare

o access

o visual amenity effects on adjoining residential zoned properties and surrounding streetscape.

o traffic generation, site access and parking

o effects on walking and cycling and other alternative modes such as passenger transport.

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

i. the degree of non-compliance with the particular performance standards that the proposal fails to meet.

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

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

iv. whether the application will result in any adverse effects on streetscape character as anticipated under Appendix 3B.2.

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

vi. whether there is a reasonably practicable alternative for legal access to a road other than a Major Arterial Road or Minor Arterial Road.

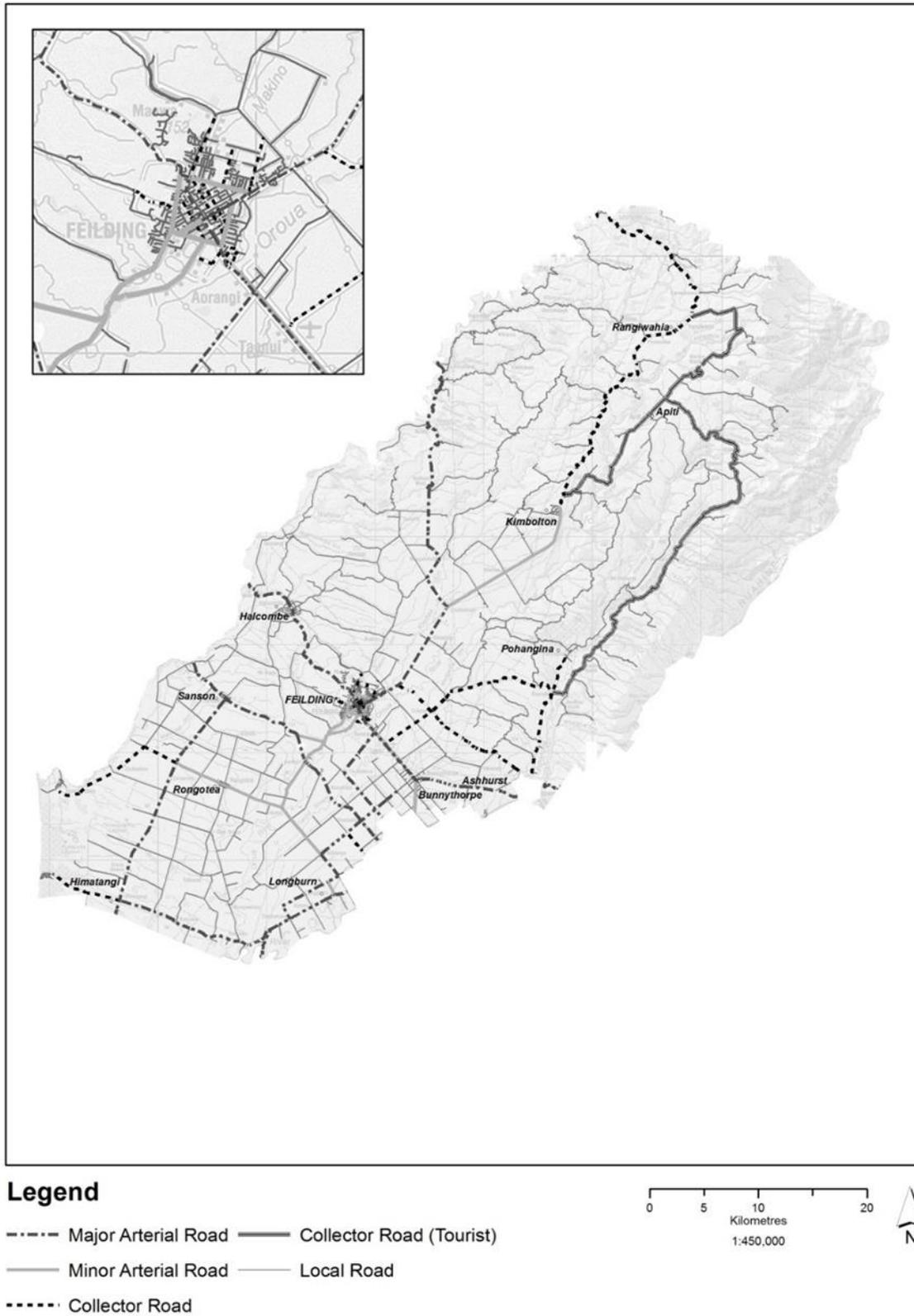
vii. the degree to which the proposal contains sufficient onsite parking to meet the needs of the activity.

viii. whether alternative transport modes such as walking, cycling and passenger transport have been provided for.

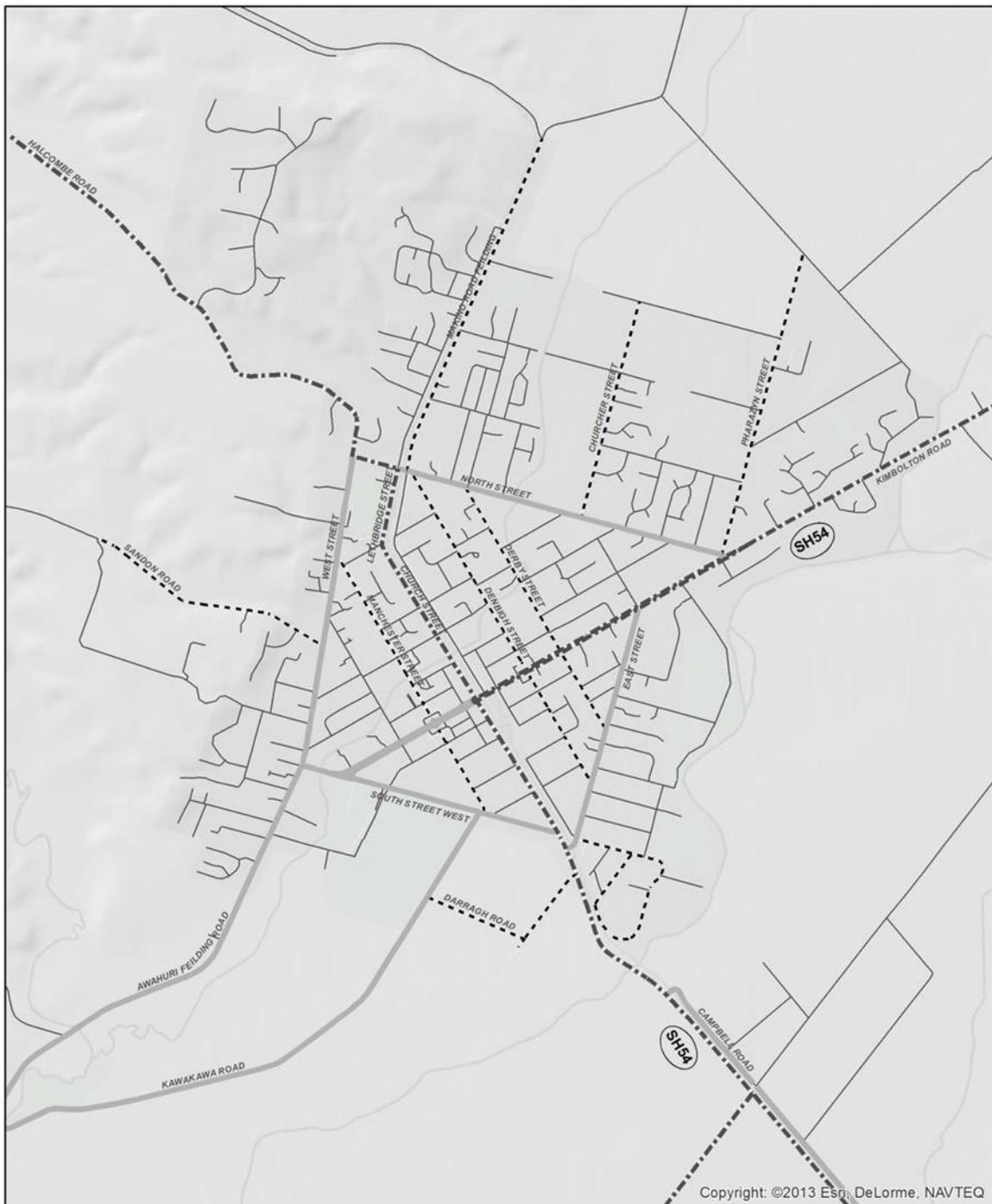
#### 3B.4.7 Discretionary Activities

Any activity not otherwise specified as Permitted or Restricted Discretionary, or is not specifically provided for in this Plan, shall be a Discretionary Activity.

**Appendix 3B.1 Roding Hierarchy**

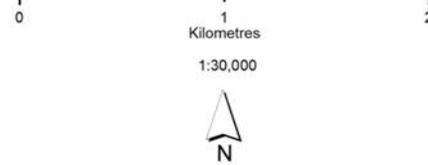


**Diagram 1** Manawatu District Roding Hierarchy

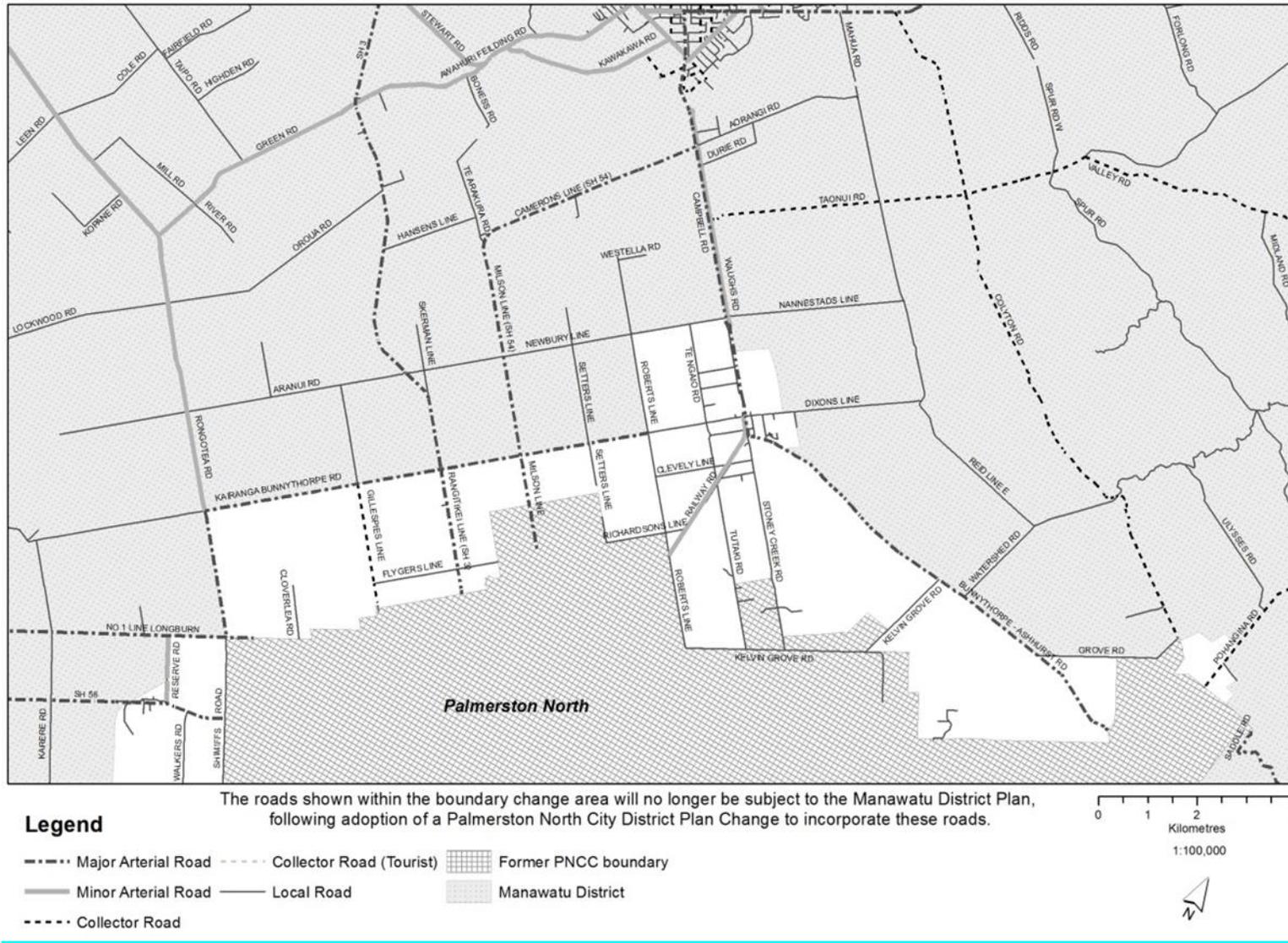


**Legend**

- Major Arterial Road
- Collector Road (Tourist)
- Minor Arterial Road
- Local Road
- Collector Road



**Diagram 2** Feilding Roding Hierarchy



**Diagram 3** Manawatu District Roading Hierarchy – Boundary Change Area

### Appendix 3B.2 Road Cross Sections

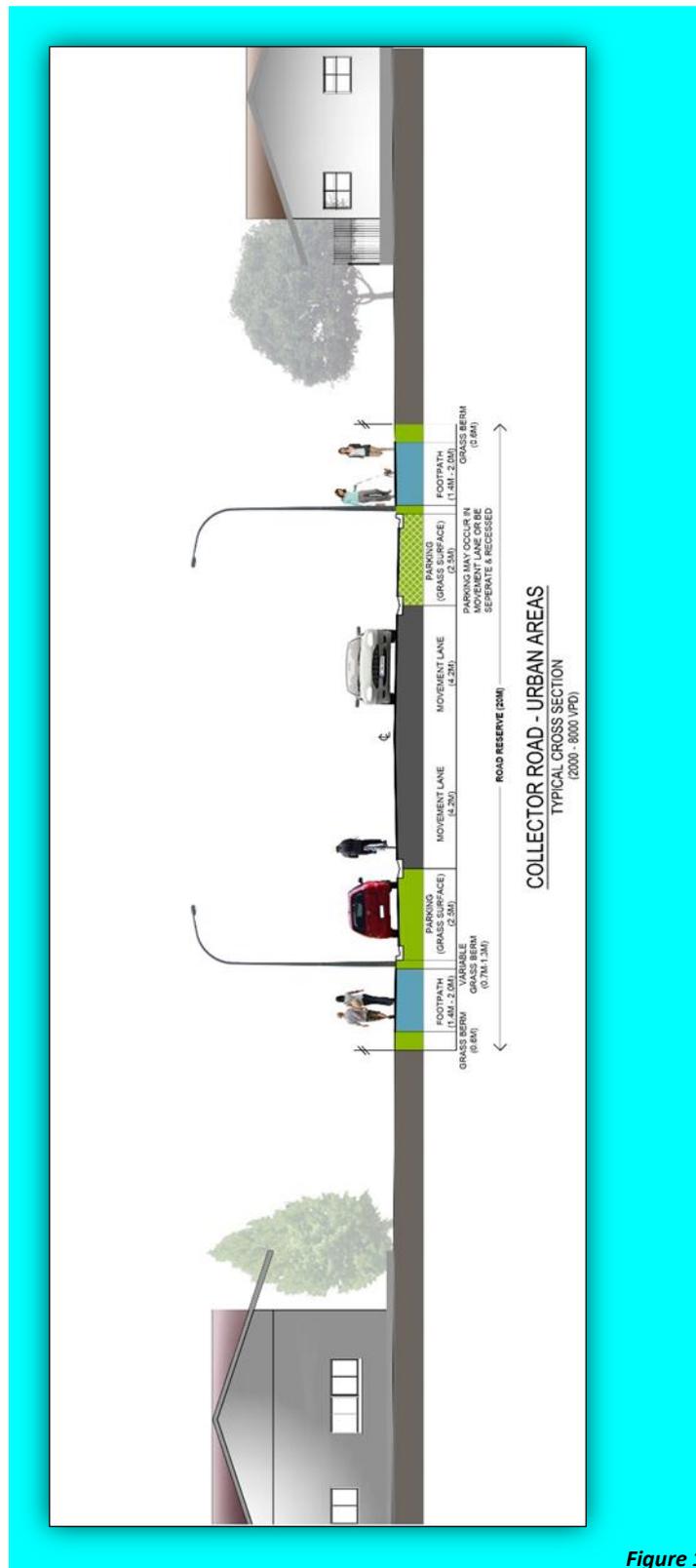


Figure 1

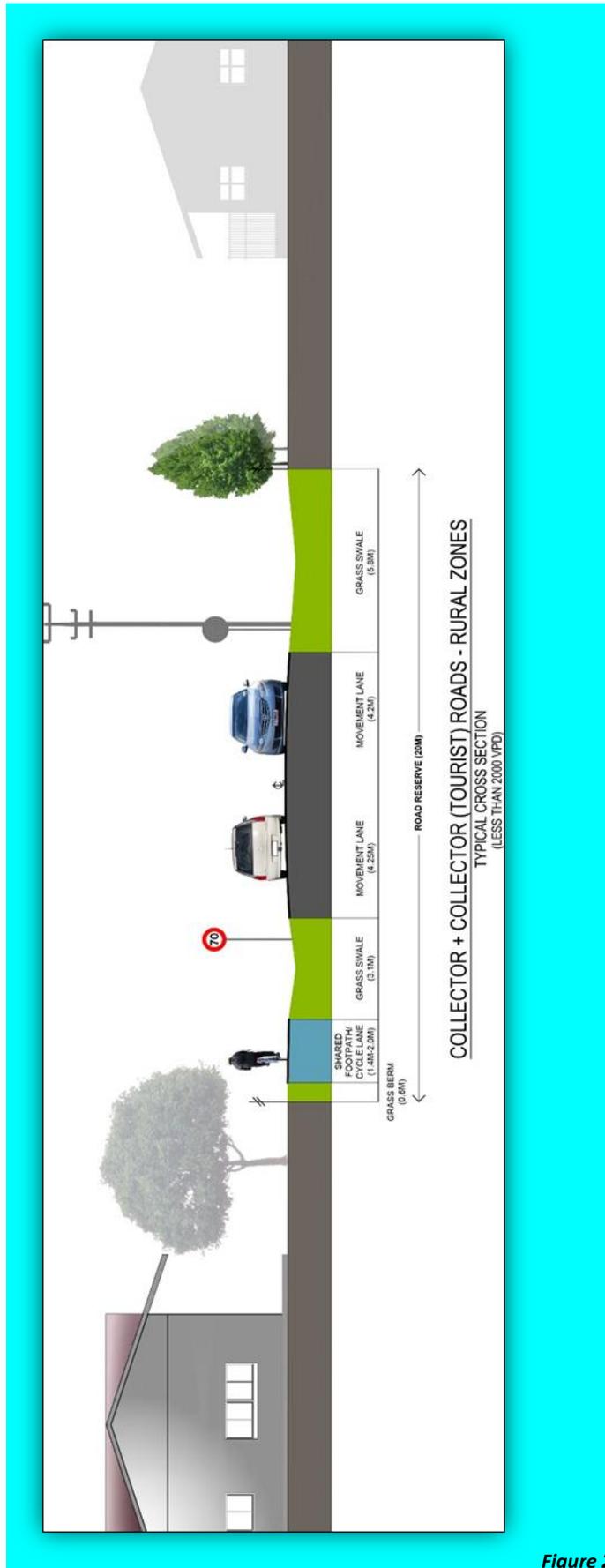
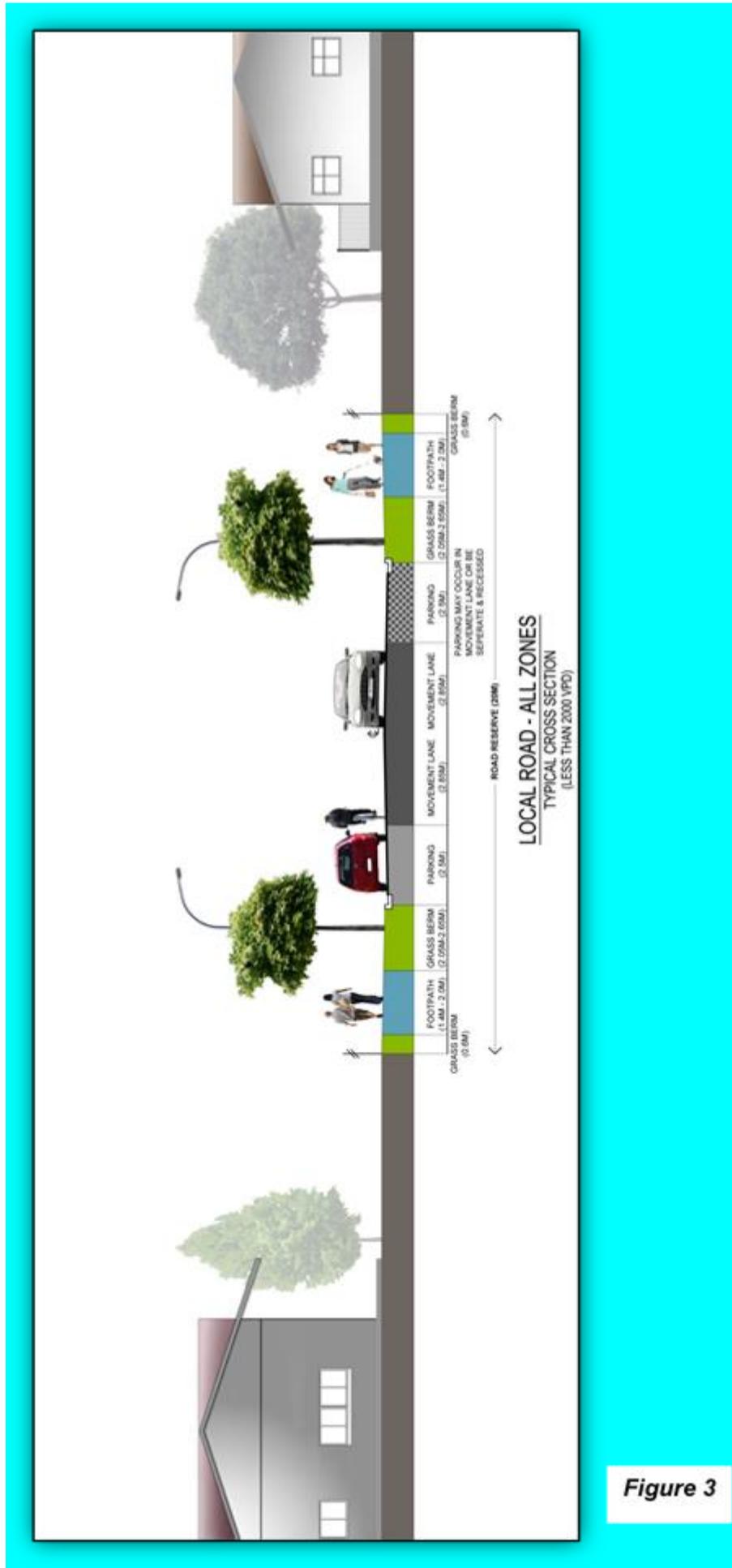


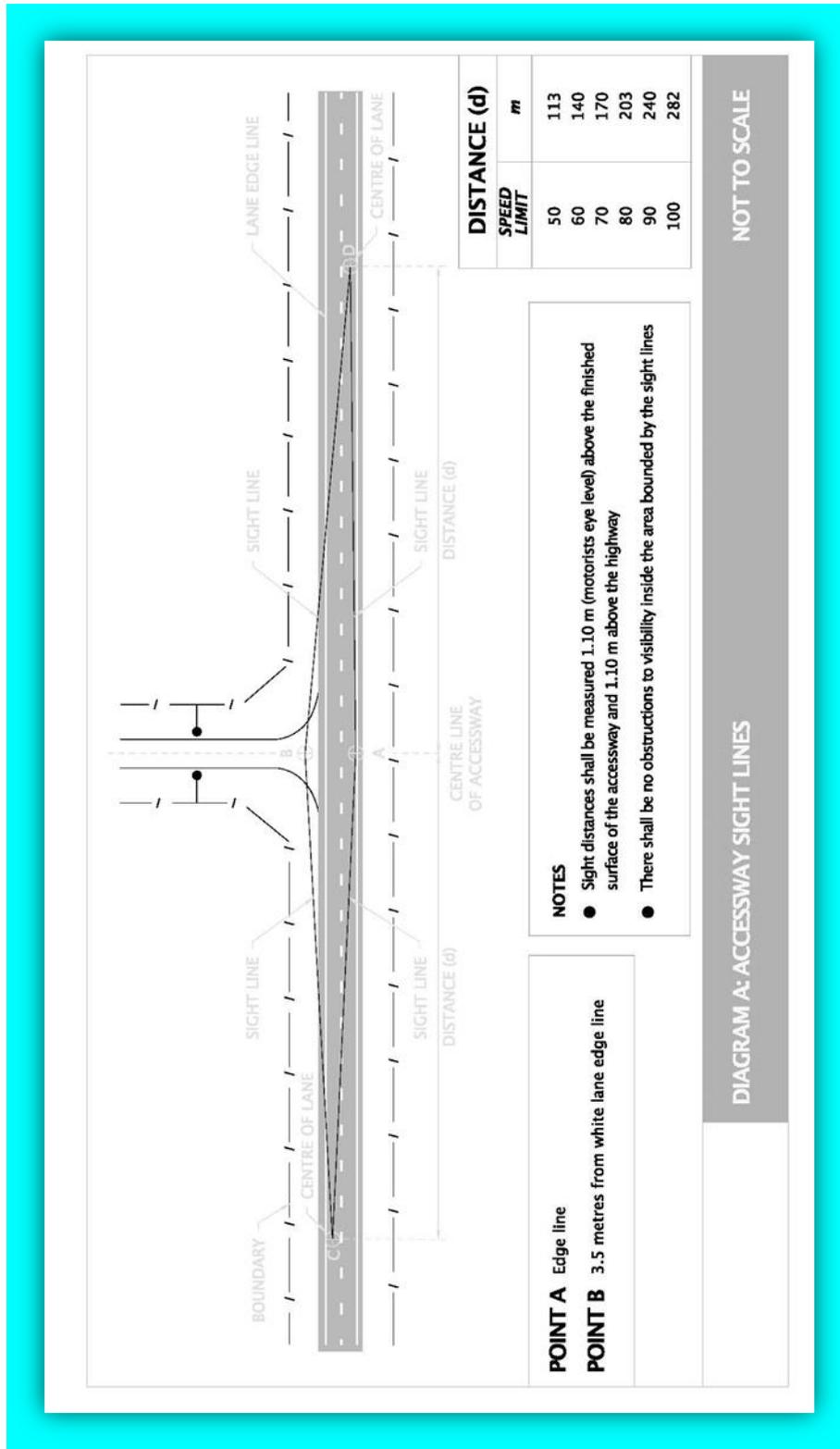
Figure 2



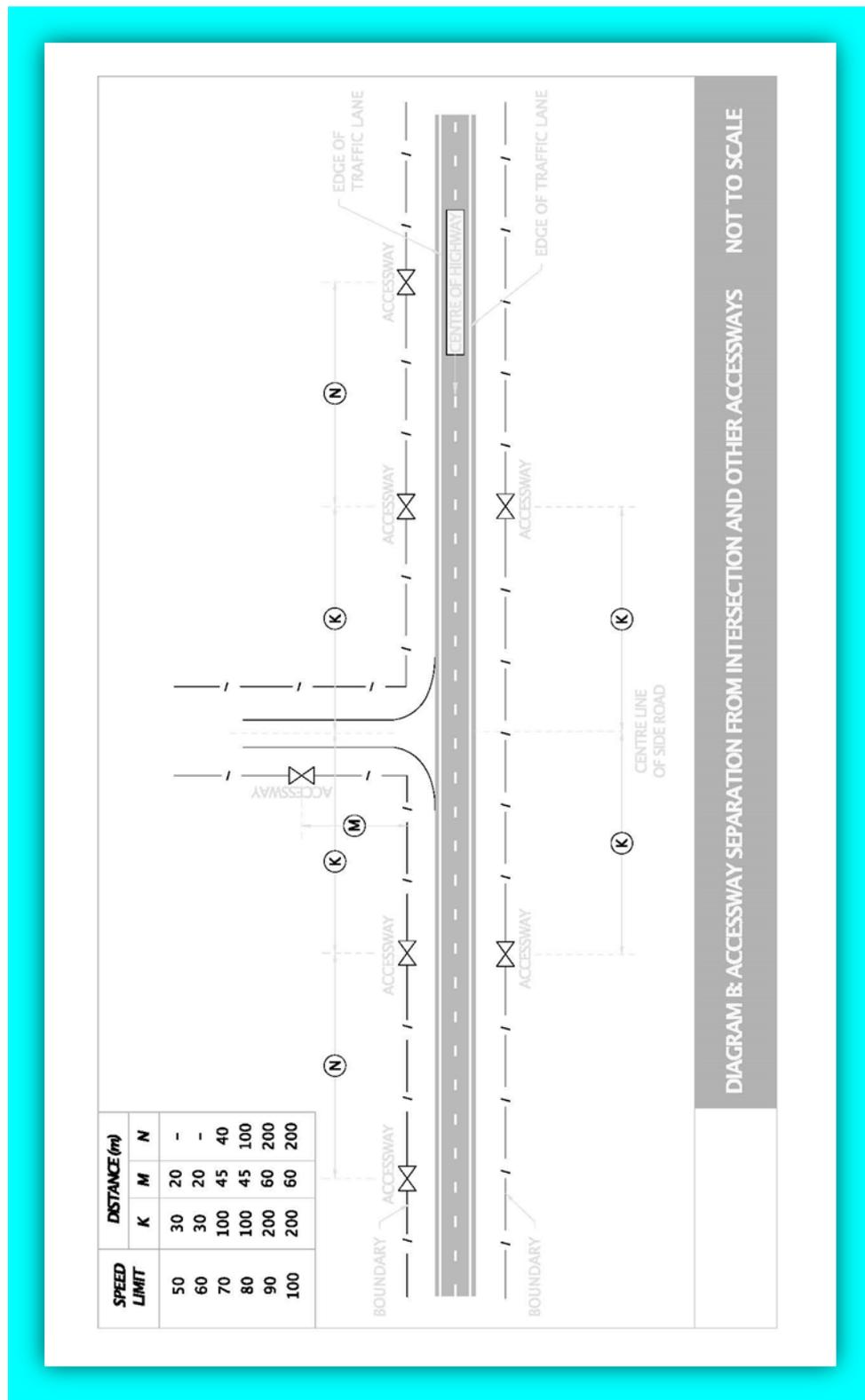
**Figure 3**

**Appendix 3B.3 Measurement of Sight Distances and Minimum Spacing**

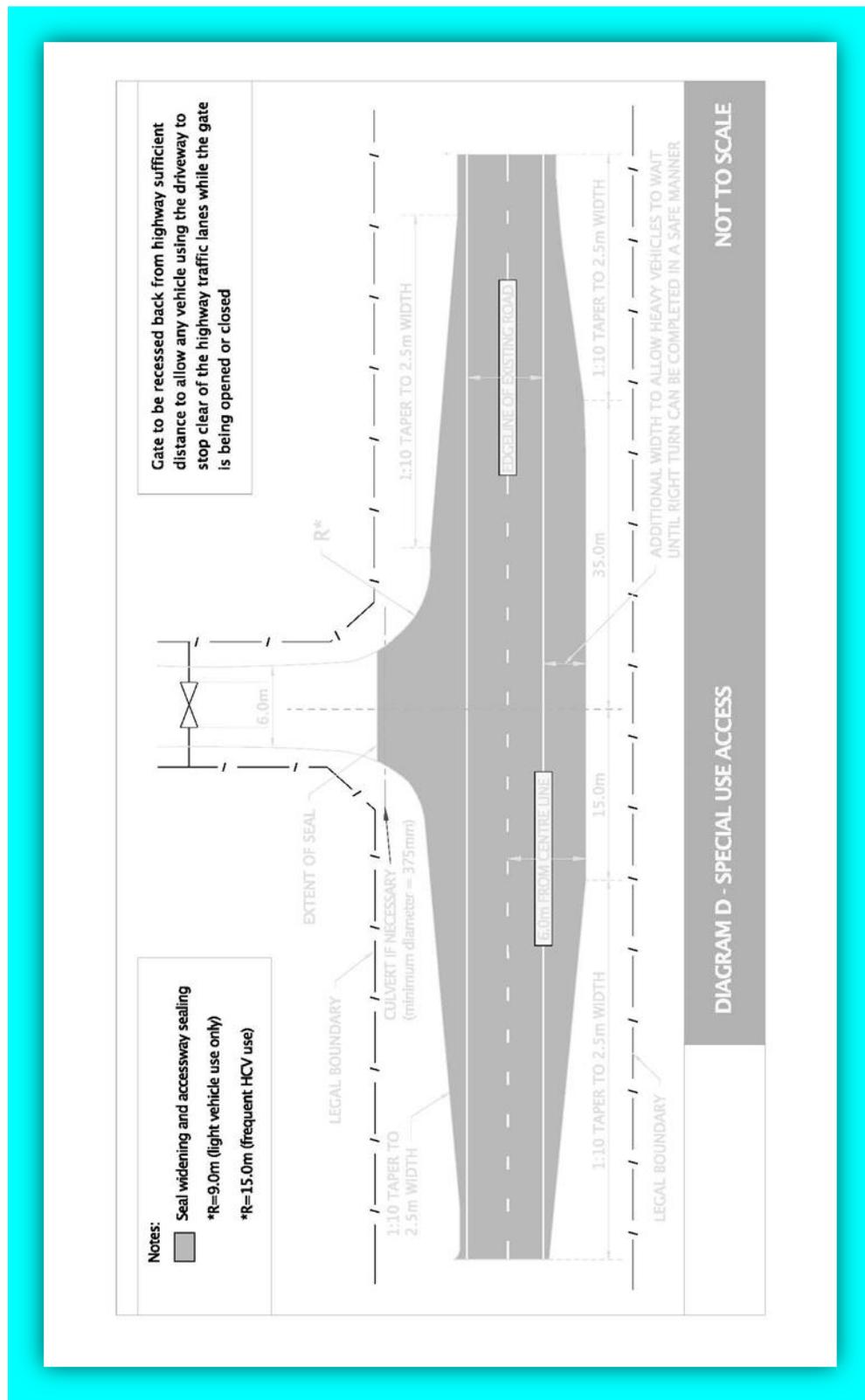
**Minimum Sight Distances from Vehicle Crossings**



**Minimum spacing between Intersections and between vehicle crossings**



**Accessway formation**



### Appendix 3B.4 Calculation of car equivalent vehicle movements

**A** Car equivalent movements are defined as being the following within any given day:

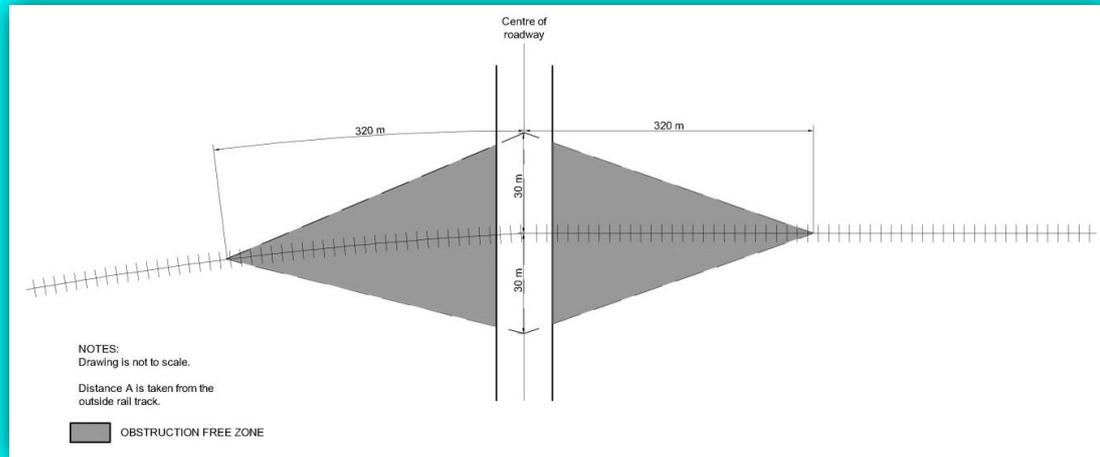
- i. one car to and from the site 2 car equivalent movements
- ii. one truck to and from the site 6 car equivalent movements
- iii. one truck and trailer to and from the site 10 car equivalent movements
- iv. a dwelling is deemed to generate 8 car equivalent movements

**B** The number of car equivalent movements will be deemed to be less than 30 if they exceed 30 on no more than two days per week, provided that they do not exceed 60 on any given day.

**C** The number of car equivalent movements will be deemed to be less than 100 if they exceed 100 on no more than two days per week.

## Appendix 3B.5 Traffic Sight Lines at Road/Rail Level Crossings

### Approach sight triangles at level crossings with Stop or Give Way signs



**Figure 1** Approach sight triangles for 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 track.

#### Guidance Note:

The approach sight triangles ensure that clear visibility is achieved around rail level crossings with Stop or Give Way signs so that a driver approaching a rail level can either:

- See a train and stop before the crossing; or
- Continue at the approach speed and cross the level crossing safely.

Of particular concern are developments that include shelter belts, tree planting, or a series of building extensions. These provisions apply irrespective of whether any visual obstructions already exist.

No approach sight triangles apply for level crossings fitted with alarms and/or barrier arms. However, care should be taken to avoid developments that have the potential to obscure visibility of these alarm masts. This is particularly important where there is a curve in the road on the approach to the level crossing, or where the property boundary is close to the edge of the road surface and there is the potential for vegetation growth.

#### Restart sight triangles at level crossings

On sites adjacent to all rail level crossings, no building, structure or planting must be located within the shaded areas shown in Figure 2. These are defined by sight triangle taken 5 metres from the

outside rail and distance A along the railway track. Distance A depends on the type of control in Table 1 below.

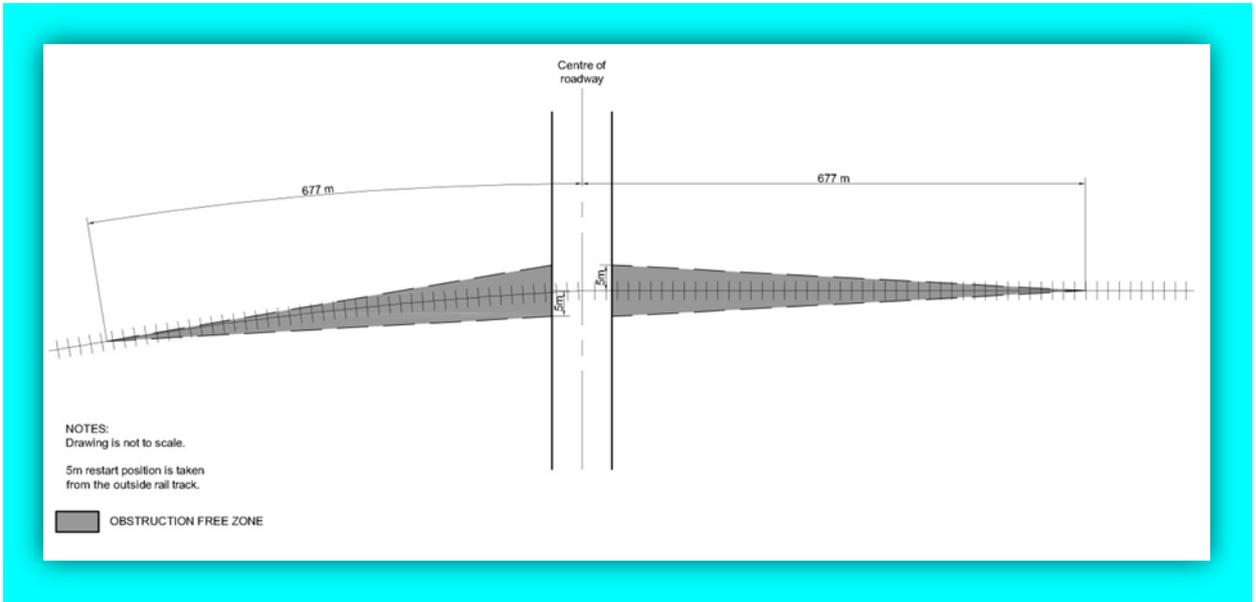


Figure 2 Restart Sight Triangles for all Level Crossings

Table 1 Required restart sight distances for Figure 2

Signs only	Alarms only	Alarms and barriers
677m	677m	60m

**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:**

- Figures 1 and 2 show a single set of rail tracks only. For each additional set of tracks add 25 m to the along track distance in Figure 1, and 50m to the along track distances in Figure 2.
- All figures are based on the sight distance formula used in New Zealand Transport Agency Traffic Control Devices Manual 2008, Part 9 Level Crossings. The formulae in this document

are performance based however the rule contains fixed parameters to enable easy application of the standard. Approach and restart distances are derived from a:

- Train speed of 110km/h
- Vehicle approach speed of 20km/h
- Fall of 8% on the approach to the level crossing and a rise of 8% at that level crossing
- 25m design truck length
- 90° angle between road and rail.

Appendix 3B.6 Parking Central Feilding



Figure 1

 Area in Central Feilding where onsite car parking is not required

## 3C Noise

### 3C.1 Introduction

Noise can create issues and may impact people's health and their enjoyment of the District. Noise can vary in its source, character, duration and time of occurrence creating a range of adverse environmental effects.

Noise provisions in this section provide certainty to the community around what levels of noise are acceptable when taking account of the noise producer and the receiving environment.

There is a growing trend towards country living. Traditional agriculture and horticulture activities, which are the predominant activities in the District, may be subject to an increasing number of complaints on the day to day activities they undertake.

Residential amenity is especially sensitive to adverse noise effects. Noise provisions have been established to protect residential communities from such adverse effects, especially during night-time hours.

Specific noise limits are covered in Manfeild Park Zone and the Special Development Zone. Those provisions appear in the respective chapters, and are not reproduced below.

### 3C.2 Resource Management Issues

The following resource management issues have been identified in relation to noise:

1. Noise can result in significant adverse environmental effects on the existing environment.
2. Noise sensitive activities can be adversely affect by noisy uses and activities in the District.
3. Recognising that evening noise levels typically reduce in all zones compared with daytime noise and contribute to local amenity.
4. Noise levels generated by land use activities can vary within a zone and between zones.

### 3C.3 Objectives and Policies

#### *Objective 1*

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

## Policies

- 1.1 To ensure noise level standards protect dwellings and other noise sensitive activities from unreasonable noise levels.
- 1.2 To ensure noise levels within the Inner and Outer Business Zones and the Industrial Zone enable the functioning of these activities without resulting in significant adverse environmental effects on adjacent residential activities.
- 1.3 To consider appropriate mitigation measures where noise levels exceed the zone or zone interface noise limits.

## 3C.4 Rules

Rules in this chapter apply District-wide and the chapter needs to be read in conjunction with the District Plan maps, relevant appendices and provisions of the applicable zone.

### 3C.4.1 Permitted Activities

All activities are permitted provided they comply with the performance standards in Rule 3C.4.2.

### 3C.4.2 Standards for Permitted Activities

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

- a. Noise levels shall be measured and assessed in accordance with the provisions of NZS 6801:2008 Acoustics – Measurement of environmental sound unless otherwise specified.
- b. All activities must comply with the following noise levels for the zone the activity is located in:

**Table 3C.1 – Noise levels**

Zone the activity is located in	Time Period	Potentially affected zone – measured at any point within the boundary of any other site in the zone		
		Residential/ Village	Rural	Inner and Outer Business
Residential/ Village – these apply only to home occupations and non-residential activities	7am – 10pm 10pm – 7am 10pm – 7am	45dB LAeq (15 mins) 35dB LAeq (15 mins) 55dB LAmax		

Zone the activity is located in	Time Period	Potentially affected zone – measured at any point within the boundary of any other site in the zone		
		Residential/ Village	Rural	Inner and Outer Business
Recreation	7am – 7pm 7pm – 10pm 10pm – 7am 10pm – 7am	55dB $L_{Aeq}$ (15 mins) 50dB $L_{Aeq}$ (15 mins) 40dB $L_{Aeq}$ (15 mins) 70dB $L_{Amax}$		
Rural	7am – 7pm 7pm – 10pm 10pm – 7am 10pm – 7am	55dB $L_{Aeq}$ (15 mins) 50dB $L_{Aeq}$ (15 mins) 40dB $L_{Aeq}$ (15 mins) 70dB $L_{Amax}$	55dB $L_{Aeq}$ (15 mins) 50dB $L_{Aeq}$ (15 mins) 40dB $L_{Aeq}$ (15 mins) 70dB $L_{Amax}$	
Industrial	7am – 7pm 7pm – 10pm 10pm – 7am 10pm – 7am	55dB $L_{Aeq}$ (15 mins) 50dB $L_{Aeq}$ (15 mins) 45dB $L_{Aeq}$ (15 mins) 75dB $L_{Amax}$	55dB $L_{Aeq}$ (15 mins) 50dB $L_{Aeq}$ (15 mins) 45dB $L_{Aeq}$ (15 mins) 75dB $L_{Amax}$	
Inner and Outer Business	7 am – 7pm 7pm – 10pm 10pm – 7am 10pm – 7am At any time 10pm – 7am	55dB $L_{Aeq}$ (15 mins) 50dB $L_{Aeq}$ (15 mins) 45dB $L_{Aeq}$ (15 mins) 75dB $L_{Amax}$		65dB $L_{Aeq}$ (15 mins) 85dB $L_{Amax}$

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

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

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

i. Aircraft being operated during or immediately before or after flight.

ii. Vehicles being driven on a road, excluding the use of airbrakes on trucks.

iii. Trains other than when being tested (when stationary), maintained, loaded or unloaded.

iv. Rural production activities, except for intensive farming.

v. Crowd noise at any area zoned recreation.

vi. Emergency Services Sirens.

**Guidance Notes:**

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

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

3. Noise associated with aircraft operations will be assessed by NZS 6805:1992 Airport Noise Management and Land Use Planning.

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

**3C.4.3 Discretionary Activities**

Any activity that does not meet the noise standards for a Permitted Activity specified in Rule 3C.4.2, or is not specifically provided for in this plan, shall be a Discretionary Activity.

## 3D Earthworks

### 3D.1 Introduction

Earthworks are often carried out in conjunction with subdivision and development including through construction of a structure or building, the establishment of a site access and when completing landscaping. Earthworks are also undertaken in the rural environment in conjunction with rural production activities.

Without appropriate management, earthworks have the potential to affect land stability and cause erosion. Rehabilitation and design have an important role in the mitigation of potential adverse effects such as land stability and visual amenity.

Earthworks can also affect archaeological sites and care should be taken to ensure those sites are protected and not destroyed.

### 3D.2 Resource Management Issues

The following resource management issues have been identified in relation to earthworks:

1. Potential adverse effects resulting from earthworks do not detract from the amenity values of the District.
2. Earthworks can result in or increase the risk of land instability.
3. Earthworks can result in adverse effects on features or areas of cultural, historical or landscape significance.
4. Earthworks can result in adverse effects on the values that cause a natural feature or landscape to be outstanding.
5. Increased risk of natural hazards when overland flow paths or stormwater drains/swales are changed through earthworks.

### 3D.3 Objectives and Policies

#### *Objective 1*

To ensure earthworks do not result in adverse effects on the visual amenity, landscape, heritage or cultural values of the area.

#### *Policies*

- 1.1 To mitigate any visual amenity effects arising from earthworks.

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

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

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

### Objective 2

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

### Policies

2.1 To ensure the scale of earthworks are appropriate for the site they are located on to avoid visual amenity effects on or beyond the site.

2.2 To manage the scale of earthworks on sites susceptible to erosion and land instability.

2.3 To require rehabilitation measures be undertaken to avoid accelerated erosion following earthworks.

2.4 To ensure all adverse effects from earthworks including dust and sediment run-off are managed onsite.

2.5 To ensure that earthworks do not affect the functioning known overland flow paths.

### Objective 3

To protect the operation of the National Grid and infrastructure of regional and national importance by avoiding earthworks that could undermine their integrity and functioning.

### Policies

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

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

### 3D.4 Rules

Rules in this chapter apply District-wide and the chapter needs to be read in conjunction with the District Plan maps, relevant appendices and provisions of the applicable zone.

#### 3D.4.1 Permitted Activities

The following are Permitted Activities in all zones, except the Rural and Flood Channel zones provided that they comply with the standards in Rule 3D.4.2 below.

- a. Earthworks, other than in an Outstanding Natural Feature or Landscape.
- b. Earthworks within the National Grid Yard undertaken:
  - i. by a network utility operator within a transport corridor as part of a transmission activity or for electricity infrastructure, or
  - ii. as part of agricultural or domestic cultivation, or
  - iii. repair, sealing or resealing of a road, footpath driveway or farm track, or
  - iv. any vertical holes not exceeding 500mm in diameter provided they are:
    - a. more than 1.5m from the outer edge of a pole support structure or stay wire; or
    - b. a post hole for a farm fence or horticulture structure and more than 5m from the visible edge of a tower support structure foundation.

#### Guidance Notes:

1. Earthworks are also regulated by the Manawatu-Wanganui Regional Council and a resource consent maybe required under the rules of the One Plan.
2. Earthworks near or within areas of cultural and natural heritage values may also require an Archaeological Authority under the Heritage New Zealand Pouhere Taonga Act (2014).

#### 3D.4.2 Standards for Permitted Activities

The Permitted Activities specified above must comply with the following standards:

- a. Any sediment run-off from earthworks must be contained within the subject site.
- b. All dust and sedimentation control measures must be installed prior to earthworks commencing.

- c. Earthworks must not be undertaken closer than 20m of the banks of the Oroua River or Kiwitea Stream.
  - d. Earthworks must not be undertaken closer than 10m of the banks of the Makino Stream.
  - e. Earthworks must not be undertaken within any area identified in Appendix 1A (Wetlands, Lakes, Rivers and their Margins), 1B (Significant Areas of Indigenous Forest/Vegetation (excluding Reserves), 1D (Trees with Heritage Value) and 1F (Sites with Heritage Value).
  - f. Earthworks undertaken in the National Grid Yard do not:
    - i. Exceed a depth (measured vertically) of 300mm within a distance measured 12m from the outer visible edge of any National Grid Tower, and
    - ii. Create an unstable batter that will affect a transmission support structure, and
    - iii. Result in a reduction in the ground to conductor clearance distances below what is required by Table 4 of NZECP34:2001.
- Guidance Note:** The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) contains restrictions on the location of structures and activities in relation to all electricity lines. Compliance with the Code of Practice is mandatory. Compliance with the permitted activity standards of the Plan does not ensure compliance with the Code of Practice.
- g. No earthworks, buildings or structures can be undertaken or erected within 20m of a natural gas transmission pipeline.
  - h. Earthworks must comply with the standards specified in Table 3D.1 Earthwork Volumes.
  - i. Earthworks must not block any stormwater or overland flow paths.

**Table 3D.1 Earthwork Volumes**

Zone	Minimum setback from site boundary		Maximum area per site exposed at any one time	Maximum permitted volume per site in any 12 month period	Maximum change to existing ground level
	1.5m	3m	500m <sup>2</sup>	500m <sup>3</sup>	1.5m
Residential, Village & Inner Business Zones	✓		✓		✓
Outer Business & Industrial Zones		✓		✓	✓
Manfeild Park & Special Development Zones		✓		✓	✓
Recreation Zone	✓			✓	✓

**Guidance Notes:**

- The restrictions above do not apply to land based quarrying activities which are managed in the Rural Zone of this Plan.
- Earthworks are also regulated by the Manawatu-Wanganui Regional Council and a resource consent may be required under the rules of the One Plan. The One Plan requires Erosion and Sediment Control measures to comply with the Greater Wellington Regional Council's Erosion and Sediment Control Guidelines dated September 2002.
- 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.
- Where earthworks are to be undertaken within 20m of any electricity line, the owners of the electrical network should be advised of the intention to carry out the works not less than 5 working days prior to their commencement.
- Earthworks near or within areas of cultural and natural heritage values may also require an Archaeological Authority under the Heritage New Zealand Pouhere Taonga Act (2014).

### 3D.4.3 Restricted Discretionary Activities

The following activities are Restricted Discretionary Activities:

- a. Any earthworks undertaken in the National Grid Yard that do not comply with the standards for permitted activities under Rule 3D.4.2 above.

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

- o Any effects on the operation of the National Grid
- o Volume, area and location of the works, including temporary activities such as stockpiles
- o Hours of operation and time of year the proposed works will occur
- o Site remediation
- o The use of mobile machinery within the National Grid Yard
- o Demonstrated compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001).

### 3D.4.4 Discretionary Activities

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

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

### 3D.4.5 Non-Complying Activities

Any earthworks within an Outstanding Natural Feature or Landscape identified in Appendix 1C, except within an existing road carriageway, is a Non-Complying Activity.

## 3E Signs

### 3E.1 Introduction

Signs are an important part of commercial and promotional activities. The role of a sign is predominantly to promote or draw attention to an activity or an event. Signs are often auxiliary to another activity, however can still generate adverse effects on the environment. These effects can be attributed to mostly visual amenity, but can also adversely affect the efficient operation of the transport network.

It is critical to ensure all signs are managed appropriately to avoid, mitigate and remedy potential adverse effects on the environment.

### 3E.2 Resource Management Issues

The following resource management issues have been identified in relation to signs:

1. The need to ensure that signs do not detract from the existing amenity of the District.
2. The need to ensure signage does not create visual obstructions or pose safety concerns for road users and pedestrians.
3. The occurrence of advertising signs that do not relate to the activity on the site the sign is located on, causing visual clutter and loss of amenity for the surrounding environment.

### 3E.3 Objectives and Policies

#### *Objective 1*

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

#### *Policies*

- 1.1 To maintain the low frequency of signage existing in the District by restricting the number, size and type of signs erected to ensure visual amenity is maintained.
- 1.2 To restrict the illumination of signs to ensure adverse amenity effects from glare, light spill or distractions to road users and the surrounding environment are avoided.
- 1.3 To distinguish between permanent and temporary signs and provide for them separately given the difference in their duration.

1.4 To manage the location, appearance and frequency of temporary signs to ensure they are of limited duration.

1.5 To manage the cumulative effect of a proliferation of advertising signs on rural amenity.

1.6 To ensure signage is in keeping with the character of the area or building where it is located.

1.7 To ensure the erection of advertising signs is only on the site where the activity is occurring.

### **Objective 2**

To ensure signs do not detract from the safety of road users and pedestrians.

### **Policies**

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

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

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

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

## **3E.4 Rules**

Rules in this chapter apply District-wide and the chapter needs to be read in conjunction with the District Plan maps, relevant appendices and provisions of the applicable zone.

### **3E.4.1 Permitted Activities**

The following are a Permitted Activity provided that they comply with the standards in Rule 3E.4.2 below:

a. Signs and official signs

b. Temporary signs

### 3E.4.2 Standards for Permitted Activities

a. Signs located within the road reserve must comply with the following standards:

- i. One information sign and one official “welcome to” sign erected at each entrance to a township.
- ii. No sign may result in visual obstruction or cause confusion for road users, pedestrians or cyclists.
- iii. The maximum sign face area of an information sign or official “welcome to” sign must not exceed 3m<sup>2</sup>. Where a sign is double sided, it may have 3m<sup>2</sup> 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 0.8m<sup>2</sup> 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 Roding Team.

b. Except as provided for in Rule 3E.4.2.a and Rule 3E.4.2.c, all signs must comply with the following standards:

- i. One sign may be displayed per site. This includes any sign that is freestanding, or is written on or affixed to a building.
- ii. Signs must relate to the predominant activity on a site, or be associated with an activity otherwise permitted by this Plan or Resource Consent has been granted.
- iii. A sign may be LED, backlit or spot lit but must not be flashing, animated, trivision, or contain revolving lights or lasers.
- iv. Any sign that is LED, backlit or spot lit must not result in light spill into any adjoining property zoned Residential.
- v. No sign may be painted or located on a building roof.
- vi. Signs must not obstruct the clarity of official signs.
- vii. Signs must not create an obstruction or cause safety concerns for road users.

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

ix. The maximum sign face area of any sign must not exceed 0.6m<sup>2</sup>, except that signs within the Inner and Outer Business Zones and Industrial Zone must not exceed a maximum sign face area of 3m<sup>2</sup>.

**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 1.5m<sup>2</sup>, except for electioneering signs which must not exceed a maximum sign face area of 3m<sup>2</sup>.

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

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

iv. Signs must not be located on Council property or within the legal road reserve.

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

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

vii. Signs must not obstruct official signs.

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

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

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

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

**3E.4.3 Discretionary Activities**

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

## 3F Temporary Activities

### 3F.1 Introduction

Temporary activities vary in their nature and scale; they are usually of short duration, intermittent and can involve activities outside of normal working hours. Temporary activities are necessary to meet a range of social, cultural and economic needs within the community and are provided for where any resulting adverse effects can be appropriately managed.

### 3F.2 Resource Management Issues

The following resource management issue has been identified for temporary activities:

1. The need to recognise the short term nature of effects that are associated with temporary activities.
2. To recognise the role of temporary activities in promoting the social and cultural wellbeing of the communities of the Manawatu.

### 3F.3 Objectives and Policies

#### *Objective 1*

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

#### *Policies*

- 1.1 To restrict the scale, intensity, location, duration and frequency of temporary activities to manage any adverse effects on the surrounding environment.
- 1.2 To ensure temporary activities do not result in adverse amenity effects on noise sensitive activities.

### 3F.4 Rules

Rules in this chapter apply District-wide and the chapter needs to be read in conjunction with the District Plan maps, relevant appendices and provisions of the applicable zone.

### 3F.4.1 Permitted Activities

Temporary activities are a Permitted Activity provided they comply with the performance standards in Rule 3F.4.2.

### 3F.4.2 Standards for Permitted Activities

Temporary activities must comply with the following standards:

a. For sporting events, public meetings, galas, market days, and other recreational and festive events:

i. Hours of operation occur between 7am – 10pm, and

ii. Duration not exceeding 3 consecutive days, and

iii. No more than 4 events of a similar nature on the same site, in any 12 month period, and

iv. Temporary buildings and structures must be readily moveable, meet all yard setback requirements of this Plan and must be removed from the site upon the completion of the temporary activity.

b. Temporary buildings and structures must:

i. be readily moveable;

ii. meet all yard setback requirements of this Plan;

iii. be removed from the site within 6 months of the commencement of the activity;

iv. not occupy a site for more than one 6 month period in any 12 months.

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

c. The temporary storage of materials and goods must not exceed a period of more than 6 calendar months.

d. The demolition of buildings, excluding those buildings identified in Chapter 4 – Historic Heritage, provided the materials and debris from the demolition are removed from the site no later than one month after the completion of the demolition.

e. Noise associated with temporary activities must comply with the noise provisions relating to the zone it is located in.

f. All temporary activities, including buildings and structures, shall be located outside of the National Grid Yard.

**3F.4.3 Discretionary Activities**

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

## 3G Relocated Buildings

### 3G.1 Introduction

Relocating buildings provides for the sustainable and economic reuse of buildings that are no longer required in their current location. Buildings may have been previously used, or purpose built for relocation. The age and condition of previously used buildings that are commonly relocated within the Manawatu District often means that remedial and upgrading works are required to be undertaken. These works ensure that the building does not result in adverse visual effects on the surrounding environment. It is therefore important that relocated buildings are managed to ensure amenity values are maintained.

The relocation of significant historic built heritage is a separate matter not addressed through this chapter. Consideration of these buildings is required under the provisions of Chapter 4 – Historic Heritage.

### 3G.2 Resource Management Issues

The following resource management issues have been identified:

1. The need to recognise the sustainable use and economic benefits associated with the reuse of buildings by relocating them to a new site
2. The need to manage the adverse visual effects that can occur from relocating buildings to a new site.
3. New buildings that are small scale and purpose built to be relocated are less likely to result in adverse visual effects on the environment.

### 3G.3 Objectives and Policies

#### *Objective 1*

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

#### *Policies*

- 1.1 To ensure any remedial and upgrading works undertaken are completed in a timely and efficient manner.
- 1.2 To ensure any remedial and upgrading works will result in a relocated building achieving a level of visual amenity the same or better than the surrounding area.

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

### 3G.4 Rules

Rules in this chapter apply District-wide and the chapter needs to be read in conjunction with the District Plan maps, relevant appendices and provisions of the applicable zone.

#### 3G.4.1 Controlled Activities

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

a. All applications for a relocated building must provide a building pre-inspection report prepared by a suitably qualified and experienced person, acceptable to the Council. That report must include:

i. All remedial and upgrading works that are to be completed to the exterior of the building following relocation to the destination site;

ii. The timeframes for completing all remedial or upgrading works after the installation of the building on its destination site;

iii. An itemised estimate of the value of the works to the exterior of the building that are outlined in 3G.4.3 a. i. above;

iv. Photographs of the building to be relocated including each elevation and the roof clearly showing any areas where remedial and upgrading works are required.

v. Photographs of the wider receiving environment and site where the relocated building will be located.

b. Relocated buildings for future residential use must have been previously used as a dwelling.

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

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

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

o Requirements for remedial works and upgrading the exterior of the building to ensure visual amenity of the surrounding area is maintained.

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

Under section 77D of the Resource Management Act (1991), an activity requiring resource consent under Rule 3G.4.3 will not be publicly notified, except where:

- o The applicant requests public notification (in accordance with Section 95A(2)(b)),  
or
- o The Council decides special circumstances exist (in accordance with Section 95A(4)).

### **3G.4.3 Restricted Discretionary Activities**

The following activities are a Restricted Discretionary Activity, in all zones, in respect to relocated buildings:

- o Any relocated building that does not meet the Controlled Activity standards or does not comply with the relevant Permitted Activity standards in all other parts of the District Plan.

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

- o Scale of built form and location on site

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

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

- i. Whether the application remains consistent with the intention of the standard(s) it infringes.
- ii. The extent to which there will be adverse effects where an application does not meet the standards.
- iii. Whether the application will result in adverse effects on the character and visual amenity values of the immediate surroundings or wider streetscape.
- iv. The need for remedial works and upgrading to ensure visual amenity of the surrounding area are maintained.
- v. The proposed time for remedial works and upgrading to be completed once the relocated building is located on its destination site.
- vi. Whether the bond proposed to be lodged with Council is of sufficient value to cover the cost of completing the required remedial and upgrading works.

#### 3G.4.4 Discretionary Activities

Any relocated building not provided for as a Controlled or Restricted Discretionary Activity or is located in the Flood Channel Zone is a Discretionary Activity.

## 4 HISTORIC HERITAGE

### 4.1 Introduction

The purpose of this chapter is to identify those buildings, memorial, objects, places and sites that are significant to the history of the Manawatu District and therefore warrant protection.

Historic heritage resources are a valuable and important part of the cultural values of the Manawatu District. Historic heritage creates a sense of place, encourages a sense of belonging and is a fundamental link between generations. Identification of significant historic heritage resources in the District Plan is required to ensure the protection of these resources and to ensure that historic heritage values are considered in the assessment of resource consent applications.

The Resource Management Act (1991) requires Council to recognise and provide for the protection of historic heritage as a matter of national importance under Section 69(f). The Horizons Regional Council 'One Plan' also sets policy direction for Council's to develop and maintain a schedule of known historic heritage in their district.

The District Plan has a responsibility to recognise and provide for historic heritage as a matter of national importance. To achieve this, the District Plan must:

- identify significant natural and built historic heritage, and
- adopt suitable methods to secure the protection of the significant historic heritage.

This chapter is intended to be read in conjunction with the relevant zoning provisions and appendices and the District Plan maps. Significant historic heritage resources are identified in the appendices to this chapter and on the relevant planning maps. The appendices represent the information available at the time of the formation of the District Plan. Identification of historic heritage resources, in accordance with the policy guidance contained in this chapter, will be on-going and updated as new information becomes available.

#### **Important Places**

The Rangitikei River estuary is regarded as a regionally important wetland and wildlife habitat, but is located just outside the District Plan's boundary (mean high water springs). Other important wetlands include the interdunal lakes, and the oxbow lakes which occupy former beds of the Manawatu and Oroua Rivers. (Listed in Appendix 1A, Page 174). The dune area to the south of Tangimoana Beach Road is of international importance due to the presence of an endangered sedge, and a nearby area is of regional importance as a habitat for the North Island fernbird.

Many of the District's rivers and streams have significant value for native and trout fisheries, and as trout and game bird breeding areas.

Much of the indigenous forest in the District already has reserve status and is administered by Council or DOC, including a substantial area in the Ruahine Forest Park. Other bush areas are subject to conservation covenants administered by Council or the QEII National Trust. The District Plan recognises these existing forms of protection. There are however some areas of indigenous vegetation which are ecologically significant, but which do not have any formal protection. The few scattered remnants of lowland native forest are particularly important. The tussock and mountain lands of the Ruahine, Ngamoko and Whanahuia Ranges contain valuable and equally fragile ecosystems, which are managed within the Ruahine Forest Park.

Indigenous forest and habitats for indigenous wildlife can be affected by activities other than vegetation clearance and wetland drainage. Selective logging can have adverse impacts if too many mature trees (important nesting sites etc) are removed from the forest ecosystem. Most of the District's remnants of native vegetation are small in area, which makes them vulnerable to "edge effects" such as salt and wind damage, drought, invasion by weeds and pests, and trampling by stock. Trees planted close to wetland remnants can alter their water tables. Sensitive wildlife may be affected by people living nearby, particularly in increased numbers. These effects all need to be recognised.

The wetlands, streams, and bush areas referred to above make a significant contribution to the quality of the landscape. The District's outstanding landscapes are identified in Part 4.3.3, Page 19.

Feilding has a number of large specimen trees which are part of the town's history. Large trees add considerably to the appearance and character of urban areas, and some of the trees which have heritage value are listed in the Plan (Appendix 1D, Page 177).

## 4.2 Resource Management Issues

The following resource management issues have been identified in relation to historic heritage:

1. The desire to retain significant historic built heritage and allow compatible adaptation and reuse of these buildings
2. The potential demolition or removal of significant historic built heritage resulting in a loss of amenity and character
3. The need to address public safety concerns through providing for the seismic strengthening of buildings with significant historic heritage values
4. The need to provide for additions and alterations to significant historic built heritage that is compatible with and does not detract from or remove the heritage values for which the building is significant
5. The need to ensure signage is complementary to and does not detract from the heritage values for which the building is significant.

## 4.3 Objectives and policies – historic built heritage

### *Objective 1*

HV 1) To protect significant historic built heritage that represents the history of the Manawatu District, from inappropriate subdivision, use and development.

### *Policies*

1.1 To identify the significant historic built heritage in the Manawatu District of significant historic heritage value according to the following values:

#### *Physical values*

- a. *Archaeological information*: contributes information about the human history of the District.
- b. *Architecture*: is significant because of its design, form, scale, materials, style, ornamentation, period, craftsmanship or other architectural element.
- c. *Technology and Engineering*: demonstrates innovative or important methods of construction or design, contains unusual construction materials, is an early example of the use of a particular construction technique or has the potential to contribute information about technological or engineering history.
- d. *Scientific*: provides scientific information about the history of the district/region.

- e. *Rarity*: the built heritage has features within it that are unique, unusual, uncommon or rare at a district, regional or national level or in relation to particular historical themes.
- f. *Representativeness*: is a good example of its class in terms of design, type, features, use, technology or time period.
- g. *Authenticity*: has attributes of cultural heritage (including form and design, materials and substance, use and function, traditions and techniques, location and setting, and spirit and feeling) that credibly and accurately bear witness to their significance.
- h. *Vulnerability*: is vulnerable to deterioration or destruction or is threatened by land use activities.
- i. *Context or Group*: the built heritage is part of a group, a landscape, a townscape or setting which when considered as a whole amplify the heritage values of the built heritage and group/ landscape or extend its significance.

#### **Historic values**

- j. *People*: is associated with the life or works of a well-known or important individual, group or organisation.
- k. *Events*: is associated with an important event in local, regional or national history.
- l. *Patterns*: is associated with important aspects, processes, themes or patterns of local, regional or national history.

#### **Cultural values**

- m. *Identity*: has a focus of community, district, regional or national identity or sense of place, has social value and provides evidence of cultural or historical continuity.
- n. *Public esteem*: is held in high public esteem for its heritage or aesthetic values or as a focus of spiritual, political, national or other cultural sentiment.
- o. *Commemorative*: has symbolic or commemorative significance to people who use or have used it, or to the descendants of such people, as a result of its special interest, character, landmark, amenity or visual appeal.
- p. *Education*: contributes, through public education, to people's awareness, understanding and appreciation of New Zealand's history and cultures.
- q. *Tangata whenua*: is important to tangata whenua for traditional, spiritual, cultural or historical reasons.

- r. *Statutory recognition*: has statutory acknowledgement including: registration under the Historic Places Act 1993, has statutory acknowledgement under claim settlement legislation, or is it recognised by special legislation.
- 1.2 To schedule significant historic built heritage according to their heritage value(s) into one of the following categories:
    - a. Category A – significant historic built heritage with values of national significance.
    - b. Category B – significant historic built heritage with values of regional or local significance.
  - 1.3 To encourage the continued use and modification for reuse of significant historic built heritage where the historic heritage values are retained.
  - 1.4 To encourage the seismic strengthening of significant historic built heritage that maintains the building's significant heritage values.
  - 1.5 To avoid, where possible, the demolition of significant historic built heritage.
  - 1.6 To encourage the retention of building façades where demolition or substantial alteration of a building with significant historic heritage values is proposed.
  - 1.7 To balance the protection of significant historic heritage values with other resource management issues and public safety concerns and in making an assessment under this policy to have regard to, without limitation:
    - a. Market conditions affecting the feasibility of adaptive reuse;
    - b. The economics of a range of reasonably practicable options;
    - c. The contribution that any replacement building might make to the vitality and vibrancy of the Feilding Town Centre.
  - 1.8 To ensure that external additions and alterations to significant historic built heritage are of a form, mass, scale, proportion and colour and use materials that are compatible with the original built heritage and do not detract from, compete with or dominate the heritage values for which the heritage item is significant.
  - 1.9 To ensure that any signage located on significant historic built heritage is of a size, location, colour and style that is compatible with the character of the heritage item and does not detract from, compete with or dominate the heritage values for which the heritage item is significant.

### **Explanation**

Ian Bowman, architectural conservator, has compiled the schedule of buildings with significant built heritage value, in the Feilding town centre, at Appendix 4a. The criteria for assessment of significant historic built heritage aligns with the approach recommended by Heritage New Zealand. These criteria are used to determine whether a building is included in the schedule as a Category A or Category B building in the District Plan. All buildings included in the schedule are identified on the relevant Planning Maps.

A heritage inventory of the buildings identified in the schedule, is a reference document designed to accompany the District Plan.

### **Objective 2**

HV 2) To ensure special recognition for natural features and places valued by the Tangata Whenua, and to make provision for protection, preservation or use of such places, in consultation with the groups concerned. (Refer also: Objective LU 4– Page 12).

### **Objective 3**

HV 3) To promote greater public awareness of heritage places.

### **Objective 4**

HV 4) To promote greater public access to heritage places, as long as that access does not compromise the value of those places. (Refer also: Objectives EM 1 and 2– Page 59)

### **Objective 5**

HV 5) To promote the sustainable management of those areas of indigenous vegetation and habitats which have not been identified as significant. (Refer also: Objective S 11– Page 56).

### **Policies**

- 2.1 To ensure that those natural areas and ecosystems which are important parts of the District's environment are protected and enhanced.
- 2.2 To protect listed notable trees in such a way that their significance as a heritage resource and the values for which they were listed are not permanently diminished or damaged.
- 2.3 To expand the level of information which is currently available and the level of knowledge which people have about heritage places.
- 2.4 To help preserve and improve public access to the Ruahine Forest Park and other appropriate heritage places.

- 2.5 To encourage the retention and voluntary protection of areas of indigenous vegetation and habitats other than those listed as significant.

### *Explanation*

Section 31 of the Act charges the District Plan with controlling any actual or potential effects of the use, development or protection of land. Such effects include potential damage to heritage values. All of the matters of national importance in Section 6, and most of the matters to which Council “shall have particular regard” under Section 7 also concern natural and heritage values. (Refer Page 1).

There are many agencies which are already involved in identifying and trying to protect heritage places. They include the QE II National Trust, the NZ Historic Places Trust, the Department of Conservation, the Maori Heritage Council, the NZ Archaeological Association, the Geological Society of NZ, Historical Societies and Mainstreet Programmes. The methods which they use include education, voluntary agreements, covenants with landowners, a variety of different statutes, and land ownership and purchase.

Under the Act Councils, Ministers of the Crown, and Heritage New Zealand are “heritage protection authorities.” Any other body approved by the Minister for the Environment can also become one. These authorities can require Council to include “heritage orders” for specific places in the District Plan, in a similar way to public works designations. They are subject to the same public objection and appeal process as designations. Heritage orders contain specific conditions relating to the use or modification of the place concerned. These conditions could vary from not permitting any change at all, to requiring merely that the protection authority is advised prior to demolition of a building.

The actions of existing agencies will go some way toward meeting the Act’s objectives for heritage places. Council will support these agencies where appropriate, as well as being directly involved in activities which complement their work.

This Plan provides an avenue and process for possible legal protection. Council may initiate heritage orders for some specific places, but the main instrument for protection will be District rules. Adequate protection for archaeological sites is already provided by the authority process which applies under the Historic Places Act 1993. This process is administered by Heritage New Zealand. Recorded archaeological sites within the District are identified in Appendix 1F primarily for public information. All applications for resource consent will however need to consider any impacts on heritage places, including archaeological sites.

Each heritage place on the Plan’s list has been identified as being Category A, B or C. (Refer: Appendices 1A to 1F). Category A confers the highest level of protection, since destroying these places is a non-complying activity. Some modification is allowed, but Council may impose conditions on the manner in which it is done.

For Category B places, Council’s consent is required before modification or demolition, and this consent may be granted or refused.

Category C places can be modified “as of right” but advance notice must be given to the Council in the case of building alterations or demolition. This notice is to allow time for the place to be photographed and recorded, and/or for alternative provision to be made for it.

Decisions on which natural areas to list as A, B or C were based on the Department of Conservation’s Recommended Areas for Protection (RAP) survey and consultation with statutory bodies, local communities and the general public. RAP’s are the best representative areas of indigenous vegetation found in an ecological district, but RAP status is not a cut-off point for significance. Many other areas in a district are also significant, for a variety of reasons. They may for instance have wildlife habitat values; be reservoirs of biodiversity at the ecosystem, population, species and genetic levels; have landscape values; or soil and water quality values.

As noted above, clearance of certain amounts of certain types of indigenous vegetation will require resource consent, so that the value of that habitat can be assessed. The significance criteria in Appendix 1I will be used for this purpose. If an area is deemed significant, it does not automatically imply that activities are unable to take place, but rather that Council is required to exercise its statutory obligations and may place controls on an activity in order to ensure that adverse effects are avoided, remedied or mitigated. The Plan’s rules permit activities with only minor adverse effects. For example, the clearance of young manuka scrub or small areas of indigenous forest and wetland are permitted activities.

A setback distance of 50 metres between plantation forestry in the coastal area and the significant wetlands listed in Appendix 1A is also proposed. The reason for this is that adjacent tree plantations can have an adverse effect on the ecology of such wetlands due to impacts such as lowering the local water table.

## 4.4 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 to determine if an activity involves the use or modification of historic heritage resources.

### 4.4.1 Permitted Activities

The following are permitted activities in all zones provided that they comply with the standards in Rule 4.4.2 below:

- i. Management of the water level of areas listed in Appendix 1A (Wetlands etc) if approved by the Regional Council. MWRC
- ii. Any activities in respect of a place listed in Appendices 1A, 1B or 1C (Wetlands etc, Significant Indigenous Forest/Vegetation and Outstanding Natural Features) which are consistent with a legal covenant applying to that place.
- iii. Animal pest and plant pest control, provision of walking tracks or supplementary planting of native species, within places listed in Appendices

- 1A, 1B, or 1C provided that any such work in Category A places is under Council supervision. MWRC
- iv. Pruning and removing branches from the trees listed in Appendix 1D, provided that the pruning is under Council supervision.
  - v. Maintenance, and minor repair of any significant historic built heritage.
  - vi. Partial or complete demolition of any significant historic built heritage where the work is necessary to make the site safe after an accidental fire, flooding or earthquake event.
  - vii. Additions and alterations to the interior of any significant historic built heritage.
  - viii. Seismic strengthening of any significant historic built heritage.
  - ix. The construction of new buildings and additions and alterations to existing buildings at the Feilding Saleyards located at ALL DP 3797 ALL DP 6178 LOTS 145 152 153 154 PT LOT 146 DP 19.
  - x. Maintenance and burial activities and provision of ancillary facilities such as parking areas, within the cemeteries listed in Appendix 1F.
  - xi. Modification or destruction of the archaeological sites listed in Appendix 1F. (NB: Authority from the NZ Historic Places Trust is required for this activity)

#### 4.4.2 Standards for permitted activities

For all zones, the permitted activities specified above must comply with the following standards:

a. Maintenance and minor repair

Any maintenance and minor repair must be undertaken using original replacement material. Where original replacement material is not available, the replacement must be of the same or similar material, colour, texture, form and design as the original.

b. Demolition

The partial or complete demolition of any significant historic built heritage, to make a site safe after an accidental fire, flooding or earthquake event must appropriately mitigate the effects of vacant land in accordance with the underlying zoning rules.

c. Seismic Strengthening

Seismic strengthening is a permitted activity only where the strengthening work does not:

- i. Result in structural alterations to the external appearance of the building
- ii. Result in any existing openings (doors and/or windows) being obstructed

d. Feilding Saleyards

External additions and alterations and new buildings constructed at the Feilding Saleyards must comply with the development standard for the underlying Outer Business Zone in Clause 10.4.7.

### 4.4.3 Discretionary Activities

The following shall be discretionary activities in all zones:

- i. Clearing, spraying, felling or burning vegetation (except plant pests) in Category A or B places listed in Appendix 1A (Wetlands etc).<sup>MWRC</sup>
- ii. Drainage, reclamation or excavation of Category B places listed in Appendix 1A. This rule shall not apply to water level management permitted by Rule A2 2.3.1 A) i). MWRC
- iii. Constructing permanent structures for birdwatching etc within Category A or B places listed in Appendix 1A.
- iv. Clearing, spraying, felling, burning or otherwise damaging areas listed as Category B in Appendices 1B, or 1C. (Significant Indigenous Forest/Vegetation, and Outstanding Natural Features).<sup>MWRC</sup>
- v. Extracting dead or damaged trees within areas listed as Category A in Appendix 1B (Significant Indigenous Forest/Vegetation).
- vi. Selectively felling trees within areas listed as Category B in Appendix 1B, provided that the sustainable management provisions of the Forests Act 1949 are met.
- vii. Allowing domestic animals to graze areas listed as Category B in Appendix 1B.
- viii. Felling, damaging or cutting branches or roots of trees listed in Appendix 1D (other than pruning permitted by Rule A2 2.3.1 A) iv)).
- ix. External additions and alterations to any Category B significant historic built heritage
- x. Any activity, specified in 4.4.1 above, that does not comply with one or more of the standards in Rules 4.4.2 a-d
- xi. Partial or complete demolition of any Category B significant historic built heritage
- xii. Relocation on the same site, of any Category A or B significant historic built heritage
- xiii. Relocation to another site, of any Category B significant historic built heritage
- xiv. Seismic strengthening that does not meet the performance standards for a permitted activity

### 4.4.4 Assessment of discretionary activities

In determining whether to grant a resource consent and what conditions to impose, the Council will, in addition to the objectives and policies of Chapter 4 – Historic Heritage, assess any application in terms of the following assessment criteria:

- a. Whether the application demonstrates compliance with any relevant design guidelines

- b. Whether the application will result in any adverse effects on streetscape character.

#### 4.4.5 Non-complying Activities

The following shall be non-complying activities in all zones:

- i. Drainage, reclamation or excavation of Category A places listed in Appendix 1A (Wetlands etc). This rule shall not apply to water level management permitted by Rule A2 2.3.1 A) (i).<sup>MWRC</sup>
- ii. Clearing, spraying, felling, burning or otherwise damaging, including by stock damage, any areas listed as Category A in Appendices 1B, or 1C, (Significant Indigenous Forest/Vegetation, and Outstanding Natural Features).<sup>MWRC</sup>
- iii. Partial or complete demolition of Category A significant historic built heritage
- iv. Relocation of any Category A significant historic built heritage to another site.
- v. External additions and alterations to any Category A significant historic built heritage
- vi. Any activity that is not specifically provided for as a permitted, restricted discretionary, or discretionary activity is a non-complying activity.
- vii. Disturbance of graves or grave markers in the cemeteries listed in Appendix 1F.

**Schedule 4a - Significant historic built heritage -  
Feilding Town Centre**

<b>Map ref.</b>	<b>Building</b>	<b>Address</b>	<b>Building rank</b>	<b>Significant historic heritage values</b>
<b>B1</b>	Former NZ Farmer's Motor Co. Ltd.	79-81 Kimbolton Road and 14 MacArthur Street, Feilding	A	Nationally significant for historic, social, architectural and technology values.
<b>B2</b>	Former Colonist's Land And Loan Company	1 MacArthur Street, Feilding	A	Regionally significant for historical, architectural and group heritage values.
<b>B3</b>	Feilding Community Centre	21 Stafford Street, Feilding	A	Nationally significant for historical architectural and group heritage values.
<b>B4</b>	Feilding Totalisator	47 South Street, Feilding	A	National significance for social historical, cultural, architectural and technological values
<b>B5</b>	Feilding Civic Centre	84 Aorangi Street, Feilding	B	Locally significant for social and architectural heritage values.
<b>B6</b>	McKinnon's	39-41 Fergusson Street, Feilding	B	Locally significant for historical, architectural and group heritage values.
<b>B7</b>	Former Bank of NZ building	52 Fergusson Street, Feilding	B	Locally significant for social, architectural and landmark heritage values.
<b>B8</b>	Gracie Building	57 Fergusson Street, Feilding	B	Regionally significant for historical, architectural, group and landmark heritage values.
<b>B9</b>	Craft Shoppe/Hair Options	60 and 62 Fergusson Street, Feilding	B	Locally significant for group heritage values.
<b>B10</b>	Dominion Building	71 Fergusson Street, Feilding	B	Regionally significant for architectural and group heritage values.
<b>B11</b>	Keith Smith Jeweller	86 Fergusson Street, Feilding	B	Locally significant for architectural heritage values.

<i>Map ref.</i>	<i>Building</i>	<i>Address</i>	<i>Building rank</i>	<i>Significant historic heritage values</i>
<b>B12</b>	Fergusson Buildings	93 Fergusson Street, Feilding	B	Regionally significant for architectural and group heritage values.
<b>B13</b>	Leader And Watt Building	97 Fergusson Street, Feilding	B	Regionally significant for architectural and group heritage values.
<b>B14</b>	Turner's Gifts And Luggage	101 Fergusson Street, Feilding	B	Regionally significant for architectural and group heritage values.
<b>B15</b>	Turner's Gifts And Luggage	103 Fergusson Street, Feilding	B	Regionally significant for architectural and group heritage values.
<b>B17</b>	Feilding Club	25 Kimbolton Road, Feilding	B	Regionally significant for historical and architectural heritage values.
<b>B18</b>	White house	33 Kimbolton Road, Feilding	B	Regionally significant for social, historical and architectural heritage values.
<b>B19</b>	Old Rangitikei Club (Little Kiwi)	35 Kimbolton Road, Feilding	B	Locally significant for historical and architectural heritage values.
<b>B20</b>	New World	39-41 Kimbolton Road, Feilding	B	Locally significant for historical, social and architectural values.
<b>B22</b>	Feilding Jockey Club	71 Kimbolton Road, Feilding	B	Locally significant for historical and architectural heritage values.
<b>B23</b>	Bin Inn Building	85 Kimbolton Road, Feilding	B	Locally significant for historical and architectural heritage values.
<b>B24</b>	Feilding Court house	91 Kimbolton Road, Feilding	B	Regionally significant for historical and architectural heritage values.
<b>B25</b>	Carthew's Building (Pharmacy)	1 Manchester Square, Feilding	B	Regionally significant for historical and architectural heritage values.

<i>Map ref.</i>	<i>Building</i>	<i>Address</i>	<i>Building rank</i>	<i>Significant historic heritage values</i>
<b>B26</b>	Cooper Rapley Building (Visique)	4 Manchester Square, Feilding	B	Regionally significant for historical and architectural heritage values.
<b>B27</b>	Former Post Office/ My Farm	8 Manchester Square, Feilding	B	Locally significant for social and architectural values.
<b>B28</b>	Feilding Hotel	9 Manchester Square, Feilding	B	Regionally significant for historical and architectural heritage values.
<b>B29</b>	Aylmer Building	10 & 11 Manchester, Feilding Square	B	Regionally significant for historical and architectural heritage values.
<b>B30</b>	Feilding Saleyards	42 Manchester Street, Feilding	B	A site of high regional significance for social and historical values.
<b>B31</b>	Lawries building/Ray White	47 Manchester Street, Feilding	B	Locally significant for historical and architectural heritage values.
<b>B32</b>	Denbigh Hotel	50 Manchester Street, Feilding	B	Regionally significant for historical and architectural heritage values.
<b>B33</b>	Spillard's	52 Manchester Street, Feilding	B	Regionally significant for historical and architectural heritage values.
<b>B34</b>	Spillard's	54-56 Manchester Street, Feilding	B	
<b>B35</b>	Spillard's	58 Manchester Street, Feilding	B	
<b>B36</b>	Williamson Building	60-62 Manchester Street, Feilding	B	Regionally significant for historical and architectural heritage values.
<b>B37</b>	JDs Linens (Williamson Building)	68 Manchester Street, Feilding	B	Regionally significant for historical and architectural heritage values.
<b>B38</b>	The Shed	70 Manchester Street, Feilding	B	Regionally significant for historical and architectural heritage values.

<i>Map ref.</i>	<i>Building</i>	<i>Address</i>	<i>Building rank</i>	<i>Significant historic heritage values</i>
<b>B39</b>	Lotto Shop	72 Manchester Street, Feilding	B	Regionally significant for historical and architectural heritage values.
<b>B40</b>	Striped Marlin/Wild at Heart	75-77 Manchester Street, Feilding	B	Regionally significant for historical and architectural heritage values.
<b>B41</b>	Focal Point Cinema	81 Manchester Street, Feilding	B	Significant for local historical heritage values but little authenticity.
<b>B42</b>	Romney House	22-26 Stafford Street, Feilding	B	Locally significant for social, architectural and landmark heritage values.

## 0. [DELETED PC46]

## **1. [DELETED PC55]**

### **1. THE MATTERS OF IMPORTANCE IN PART II OF THE ACT**

#### **1.1 SECTION 5 OF THE ACT – SUSTAINABLE MANAGEMENT**

The overall purpose of the Act is stated in Section 5 as being to “*promote the sustainable management of natural and physical resources.*” Section 5 then defines sustainable management as:-

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

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

*Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*

*Avoiding, remedying, or mitigating any adverse effects of activities on the environment.”*

#### **1.2 SECTIONS 6 AND 7 OF THE ACT**

Section 6 states that, in achieving the above purpose of the Act, all persons exercising powers and functions under it must:

*“Recognise and provide for the following matters of national importance:*

*a) The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development;*

*b) The protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development;*

*c) The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna;*

*d) The maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers;*

*e) The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.*

Under Section 7 all persons exercising powers and functions under the Act also must “Have particular regard to:

a) *Kaitiakitanga: Defined as “the exercise of guardianship by the tangata whenua of an area in accordance with tikanga Maori in relation to natural and physical resources; and includes the ethic of stewardship”.*

NB- Tikanga Maori means “Maori customary values and practices”

aa) *The ethic of stewardship:*

b) *The efficient use and development of natural and physical resources:*

c) *The maintenance and enhancement of amenity values:*

d) *Intrinsic values of ecosystems:*

e) *Recognition and protection of the heritage values of sites, buildings, places, or areas:*

f) *Maintenance and enhancement of the quality of the environment:*

g) *Any finite characteristics of natural and physical resources:*

h) *The protection of the habitat of trout and salmon”.*

Council therefore has to consider all of the above when preparing the District Plan, and when making decisions on resource consent applications, heritage orders and public works designations. It is the Plan’s role to draw out the parts of Sections 6 and 7 which are relevant to the District and to state which issues are most significant locally.

### 1.3 SECTION 8 – PRINCIPLES OF THE TREATY OF WAITANGI

Section 8 of the Act states that:

*“In achieving the purpose of the Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi”.*

The Act does not explicitly state what the principles of the Treaty are. The Regional Policy Statement has however set out some key principles which originated from Court decisions. They are:

- **“The Essential Bargain**

The exchange of kawanatanga (in Article I) for the protection of tino rangatiratanga (in Article II).

- **The Principles of Tino Rangatiratanga and Kawanatanga**

The guarantee to iwi and hapu of full chieftainship or authority over their lands, resources and taonga and therefore the control and management of tribal resources according to Maori cultural preferences, (rangatiratanga) as balanced against the Crown’s right to make laws and govern, and by extension, the devolved responsibilities of Regional and District Councils (kawanatanga).

- **The Principle of Partnership and Good Faith**

The shared obligation of both Treaty partners to meet their respective commitments, and to act reasonably and in good faith to one another.

- **The Principle of Active Protection**

The Council's obligation to actively protect the interests of iwi in their land and resources.

These principles are not set, and will continue to evolve. There is also scope for the development of further principles, especially in regard to specific resources. Some of the implications of the above are that Council should:

- a) Consult fully with Tangata Whenua groups when preparing District and other Plans.
- a) Recognise in the District Plan those issues which are important to the Tangata Whenua.
- b) Develop appropriate protection for waahi tapu and other heritage sites
- c) Involve Tangata Whenua fully when dealing with applications for land use proposals which affect Maori values or resources. This could involve making sure that Tangata Whenua are involved at all stages, from pre-application consultation to hearings and in making the decision.
- d) Put Plan provisions in place which allow Tangata Whenua to use their own land according to their cultural preferences, as long as the environmental requirements of the plan are respected.

Until recently the Council had no formal consultation structure with Tangata Whenua in the District, but had discussed issues with some members of individual marae. In May 1998 a Council Standing Committee comprising Council Members and representatives of the District's marae was established. The purpose of this Committee is to facilitate discussion on broader policy issues which affect Tangata Whenua, and to assist understanding between the elected members of Council, Council officers and the Tangata Whenua of the Manawatu District. The District Plan's provisions relating to issues which affect Tangata Whenua will therefore evolve over time as this consultative process strengthens. The District Plan process allows Council to later change the Plan, following formal consultation, in order to make proper provision for the concerns of Tangata Whenua. This may include setting out how the principles of the Treaty are viewed in a local context.

## 2. SIGNIFICANT RESOURCE MANAGEMENT ISSUES FACING THE DISTRICT

### 2.1 INTRODUCTION

Fifteen significant District Plan issues were identified through the public consultation which led to the preparation of this Plan. "Issues" can be thought of as matters of interest or concern to the District's community regarding the use, development or protection of natural and physical resources. Quite often they are environmental problems. The issues tend to overlap and cannot always be resolved at the same time.

### 2.2 ISSUES

- 1) The District's people need to be able to provide for their social and economic and cultural well-being and for their health and safety, without having extra barriers created by unnecessary restrictions in the District Plan.
- 2) Appropriate ways to take Maori values into account and to involve the Tangata Whenua in Resource Management decision-making are still being refined.
- 3) There has been a major loss of natural ecosystems in the District, particularly those on the lowland plains which would have supported a high level of biodiversity. Lost ecosystem values need to be restored and the remaining fragments protected to enhance and safeguard the biodiversity of the District.
- 4) [deleted PC46]
- 5) Past land uses, developments, signs and surface water uses have not always fitted into their surroundings without causing problems such as:
  - a) Adverse effects on the natural environment due to for example pollution, and the removal of the habitat of flora and fauna.
  - b) ~~[Deleted PC55] Adverse impacts upon traffic safety and efficiency. Neighbours may also be affected through parking demand and by vehicles "coming and going" if the area is otherwise quiet.~~
  - c) ~~[Deleted PC55] Excessive levels of noise, or certain types of sounds, which have an adverse effect upon people's health and enjoyment of life.~~
  - d) Smoke, dust, odours or fumes which have an adverse effect upon people's health, neighbourhood amenities and the environment as a whole.
  - e) Effects on soil productivity, structure and stability through such activities as soil removal, covering with hard surfaces, and inappropriate cultivation. The effects are often gradual and cumulative.
  - f) Effects of development pressures upon other natural and physical resources, eg on town centres, the quality or availability of water, energy supplies, the safety and efficiency of roading systems, or the supply of minerals).
  - g) Overshadowing by buildings, shelter belts and trees. This can have effects on people's use and enjoyment of adjoining land.

- h) Pressure from newly established “sensitive” activities, such as residential uses, for established operations which have a level of perceived nuisance to be curtailed or closed down.
- i) Visual Appearance -“eyesores”, such as piles of junk in the open, unfinished building projects or a profusion of signs and billboards.
- ~~j) [Deleted PC55] Glare from, for example, outdoor lighting and reflective surfaces, which can annoy people and distract motorists.~~
- k) Electrical interference to radios and televisions.
- l) A loss of visual privacy, e.g. homes and outdoor living areas being “seen into” by neighbours and passers by.
- m) Cultural Impacts, e.g. many people are reluctant to have a funeral parlour next to their home. These impacts can be difficult to deal with, particularly if more than one culture is involved.
- n) Concerns about people’s personal safety and security, eg in using public places which are dimly lit, or from aircraft accidents near airports.
- o) The potentially adverse effects on people’s health and safety and upon ecosystems from mishaps in the production, transport, use or disposal of hazardous substances, or,
- ~~p) [Deleted PC55] Possible effects on health from electromagnetic and other forms of radiation.~~

New and existing activities therefore need guidance to prevent similar problems (while recognising any relevant existing use rights).

- 6) Parts of the District have significant soil erosion problems and varied water quality is likewise a problem in some of our rivers and streams. These environmental impacts are related to the removal of the land’s natural vegetation cover.
- 7) The fragmentation of land holdings and new housing and other development which results from subdivision is having a cumulative impact upon the rural environment, including upon its rural character and amenities and upon the future options for use of the vulnerable versatile land. While each proposal may have minor effects on its own, the cumulative effects over time can be very significant.
- 8) The District is prone to natural hazards, especially flooding, and to associated property damage.
- 9) There are various limitations on the future growth of Feilding and the other townships, eg natural hazards, effluent disposal, and urban expansion also has a permanent impact on the rural character and natural environment of the growth areas concerned.
- 10) A balance needs to be struck between the degree of new services, reserves etc which developers or new residents pay for, as opposed to those which existing residents and ratepayers pay for.
- 11) Certain parts of the District have been recognised as regionally-significant landscapes requiring special management.

- 12) Public access to the coast and rivers, as well as recreational opportunities generally, need to be maintained and enhanced.
- 13) Water and energy use is often very wasteful, and more efficient use needs to be encouraged. Disposal of solid waste which cannot be re-used or recycled needs to be managed in a more sustainable way.
- 14) There are competing demands on the limited water supplies in the District, particularly the Oroua River. The river's waters are taken by agricultural, urban and industrial users, and are used to dispose of treated wastes. These competing demands for a limited supply represent a constraint to current and prospective users and a potential threat to the river's habitat values.
- 15) Issues which cross territorial or jurisdictional boundaries (eg management of the beach and coastal marine area, or land uses in one District which affect people in another) need to be resolved if integrated management of resources is to be achieved.
- 16) Manfeild Park is a unique, multi-purpose event facility for the District and requires management to enable a wide range of activities while avoiding adverse effects on the surrounding environment.

NB- The Regional Council plays the major role in issues 6, 8, 13 and 14, and also has a part to play along with Council in addressing Issues 3, 5, 7, 9, 11, 12 and 15.

### **3. [DELETED PC46]**

## 4. MANAGING LAND USE EFFECTS

### 4.1 INTRODUCTION

The purpose of managing the use of land and associated resources is to work toward sustainable management and toward specific environmental results. In doing this, one of the District Plan's main functions is to control any actual or potential adverse effects of the use, development or protection of land. "Cumulative" effects are of particular concern, ie one activity on its own may have little impact on the environment, but a number of such activities happening over time would have an adverse effect. Controlling the effects of activities which use the surface of rivers and lakes is also within the scope of this Plan.

### 4.2 GENERAL OBJECTIVES

#### Objectives

**LU 1) To recognise the potential adverse effects of activities upon the natural and physical environment, land and ecosystems and to avoid, remedy or mitigate these effects. (Issue 5)**

**LU 2) To protect present and future District residents from potential adverse effects of land uses upon their amenities and their health and safety. (Issue 5)**

**LU 3) To foster a climate where the District's people can provide for their social and economic and cultural wellbeing and for their health and safety. (Issue 1)**

**LU 4) To recognise the need for the Tangata Whenua to be able to use their land and traditional resources according to their cultural heritage. (Issue 2) (Refer also: Objectives HV 2 and LU 28 -Pages 7 and 42).**

**LU 5) To maintain and enhance the amenity values which make the District a pleasant place to live in and visit. (Issues 3, 5 and 11)**

**LU 6) To promote integrated management of land and water resources (Issue 15)**

*(Refer also: Objectives LU 9, 10, 12,14, 16 and U1 – Pages 19, 21, 23, 25, 28 and 81).*

#### Policies

- a) To ensure that adverse effects of land use and surface water activities on the natural environment, land, water and ecosystems are avoided, remedied or mitigated.
- b) To take potential impacts on future residents of an affected property into account when managing land use effects.
- c) To minimise the potential for conflict between new activities and lawfully existing activities.

- d) ~~[Deleted PC55] To recognise that certain land uses, including temporary signs, generally have a minor effect on the environment due to their limited duration.~~
- e) To provide opportunities for participation by the Tangata Whenua in making resource allocation and land use decisions, including setting conditions on land use consents where appropriate.
- f) To avoid, remedy or mitigate any adverse effects resulting from the activities of others upon resources or other taonga valued by the Tangata Whenua. (Refer also: Objectives HV 2 and EWA 2 – Pages 7 and 77).
- g) To remove impediments which limit the ability of the Tangata Whenua to use their land or resources according to their cultural heritage.
- h) To minimise the nuisance caused by effluent on roads and roadsides. (Refer also: Objectives LU 10-12 and 14 – Pages 21, 23 and 25).
- i) To ensure that suitably-zoned land is available, with the required infrastructure, to meet the locational and operating needs of new industries and other employers.
- j) Not to place any unnecessary barriers (eg “red tape”) in the way of new job opportunities.

### **Explanation**

The above objectives apply to the whole of Part 5 of the Plan Strategy. They will be achieved by the policies above and others throughout Part 5. All stem from Council's functions under the Resource Management Act, from the matters of importance set out in Sections 6 and 7 of the Act, or from the purpose of the Act itself.

*“Sustainable management”* involves enabling *“people and communities to provide for their social, economic and cultural well-being and for their health and safety...”* The District Plan's role is to provide a regulatory framework within which people and communities can pursue the solution of problems such as unemployment, rural depopulation and a desire for further recreational or social facilities. Council can do much to assist through means outside the District Plan, some of which are outlined in Part 0.11.2 (Page viii).

Objective LU 6 reflects the fact that integrated management is part of the function of District Councils under Section 31 of the Act (Refer Part 0.6, Page iii). It means particularly that Regional and District Councils should work together to ensure that efforts are not duplicated and that there are no “gaps” between the resource management responsibilities of each. Some processes to address these “cross-boundary” issues are contained in Part 11 (Page 83). Managing the effects of land use on water quality is an example. While safeguarding water quality is a Regional Council task, managing land use is primarily the District's role. Riparian margins in particular, being at the interface of water and land, require an integrated management approach agreed between this Council and the Regional Council.

Policy b) recognises that *“the foreseeable needs of future generations”* are a part of sustainable management. If too many tall buildings or nuisances are allowed (each with its own neighbour's consent at the time) the overall quality of the residential environment will suffer and the desired outcomes will not be achieved. The interests of future residents may therefore be relevant. The Plan also deals with impacts which only relate to the site being developed, (ie which do not affect any neighbours or the environment in general), because of potential effects on future residents of that property.

Policy c) recognises that problems are often created where new activities which expect a high standard of amenity (such as residential ones) develop near previously established land uses with established effects. Over time the new land uses can create pressure for the quite legitimate existing ones to be closed down or for their operations to be severely limited. This phenomenon is sometimes called “reverse sensitivity”.

~~The Plan needs to provide for temporary land uses which only have minor effects, as permitted activities (Policy d)). Examples are gala days, construction works and temporary military training exercises. Their impact may be quite large on the days when they are happening, but requiring them to obtain land use consent would be out of proportion to their overall longer term impact. It is important to specify maximum durations for such activities, beyond which they require consent. Other standards are also applied to limit the impact of temporary activities. (Refer Rule A2 2.2, Page 97).~~

Policies e) f) and g) relate to Council’s duties under Part II of the Act, especially Section 8. As noted in Part 1.3, when Council formulates Plans and makes planning decisions under the Act, the principles of the Treaty of Waitangi must be taken into account. Among the things which must be recognised and provided for as a matter of national importance is the *“relationship of Maori and their culture and traditions with their ancestral lands, water, sites, Waahi tapu, and other taonga.”* Council also has to have particular regard to Kaitiakitanga, which is defined as *“the exercise of guardianship by the tangata whenua of an area in accordance with tikanga Maori in relation to natural and physical resources; and includes the ethic of stewardship.”* This definition is recognised by Maori as being incomplete. The freedom of action implied by policy g) is still of course limited by the overall aim of sustainable management.

Policy h) refers to spilt manure from stock trucks, to effluent holding tanks on campervans being emptied on the roadside, and to the road being used as a cattle race. These things create a nuisance for other road users, and manure can corrode the tarseal itself. Proper discharge points need to be available for trucks and campervans. It is inappropriate for this Plan to require stock trucks to have effluent holding tanks. This sort of regulation needs to be implemented at a national level. Council will lobby central government on this issue, and will encourage local/regional carrying firms to install tanks.

### **District Plan Methods**

- District Rules A2 and B, Pages 97-150.

### **Other Methods**

- Assisting the Tangata Whenua with the issue of how best to achieve their projects and to secure access to the resources which they regard as important.
- Regular view of bylaws and other restrictions which may unnecessarily limit people.
- Lobbying Central Government.
- Working with local/regional cartage contractors, and farmers.
- Involvement in providing effluent discharge points.
- Manawatu District Bylaw 2002, (covering stock races).
- Assisting applicants to identify the appropriate Tangata Whenua contact people to consult with about their proposal.

## 4.3 SPECIFIC POLICIES AND OBJECTIVES - RURAL ZONES

### 4.3.1 SUSTAINABLE USE OF SOIL RESOURCES

#### Objective

**LU 7) To promote sustainable use of the District's land and related resources, particularly by:**

- (a) Safeguarding the qualities of the District's soils which contribute to their life supporting capacity, including soil depth, soil structure, water holding capacity, organic matter and soil fauna. (Refer also: Objective S1-Page 46).**
- (b) Maintaining options for future generations to use, develop or protect the soil resource. (Refer also: Objective S1 -Page 46).**
- (c) Managing the effects of urban communities and urban growth upon the environment, including upon the soil resource. (Refer also: Objectives S8, S9 and EWA 1 -Pages 53, 55 and 77).**

**(Issues 5, 6, 7 and 9)**

#### Policies

- a) To avoid damage to the soil resource from land uses which might result in chemical contamination, excavation, erosion or soil compaction.
- b) To help achieve more sustainable use of potentially unstable hill country and sand country.
- c) To help improve the current state of knowledge about which land use practices are "unsustainable" on various types of country.
- d) To minimise the quantity of versatile land which is effectively lost for reasons such as it being put under large expanses of buildings and pavement, or being put into urban use.
- e) To assist in reducing the effects which unsustainable land use practices may have upon other properties.

#### Explanation

Over significant areas of the District the present land uses appear to be having an adverse effect upon the quality and stability of the soil resource. The most apparent example is grazing use of erosion-prone hill country. This in turn can have effects on other properties, for example through sedimentation. There is also evidence that over-cultivation of some arable land in the Kairanga plain has damaged the soil's structure and capability. While the latter problem may not be widespread at present, care must be taken to stop it becoming so.

The Act requires the Plan to promote sustainable use of soil resources, ie to manage them with future use and future generations in mind. The soil is one of the key resources upon which all life depends. As stated in policy a), permanent damage to the soil resource must be avoided. There is a large "grey area" concerning what uses are sustainable for various types of land. The best approach is to try to make land uses more sustainable rather than

trying to define a precise dividing line between “sustainable” and “unsustainable”.

The Regional Council has prime responsibility in the soil conservation and stability area, and has prepared a Land and Water Regional Plan. That Plan contains rules to prevent land uses from becoming less sustainable through, for example, inappropriate clearance of vegetation and soil disturbance on land vulnerable to erosion.

To change present land use practices into others which are more sustainable is a huge task.

Retiring land from pastoral farming may be the “sustainable answer” for some hill country properties, but the landowners may be simply unable to afford the change. Financial support from local, regional or national sources would help, but it is unlikely to be forthcoming in amounts which would enable the massive changes needed to be made quickly. Education and information may well be the most effective methods to use. As Council has no specific expertise in this field it is most appropriate to support the Regional Council and other agencies who do.

Objective LU7 recognises that all land is an important resource, and that as well as preventing soil degradation, it is important to keep open a wide range of options for its future use. We do not know what sort of new land uses may crop up in the future. There may be some types of soil (eg wine-producing gravels) which aren’t seen as important now, but might be later on. The average lot size mechanism is one tool which the Plan uses to try and retain options for all land in terms of fragmentation through subdivision. (Refer: Objective S1, Page 46).

Policy d) refers to versatile land, which in this Plan means Class I and II land except for Class IIs2. Class I and II land is defined in the Land Use Capability (LUC) classification of the NZ Land Resource Inventory. There are 8 classes, ranging from Class I land which has very few limitations to use and can be used for a wide range of productive purposes, to Class VIII which has extreme limitations and is unsuited to any use except catchment protection planting.

Class IIs2 land is a specific type which occurs extensively in the Ashhurst-Bunnythorpe-Colyton and Sanson-Rongotea-Halcombe areas. It theoretically has the potential to be used for the same wide range of productive options as other Class II land, but in practice its use is limited by an impervious sub-surface soil layer (a fragipan) which impedes drainage. Since this limitation is extremely difficult to overcome by practical drainage works, the Class IIs2 soils are not regarded by this Plan as having the same level of versatility as the Class I and other Class II soils.

Versatile land is a special resource for a number of reasons. It can be used for the widest range of potential uses of any land. It can be used for intensive production without the need for extensive artificial inputs such as fertiliser. It is therefore an important resource, for example, for any future low-energy organic production methods. There is also only a small amount of versatile land, (nationally and locally) compared to the other land classes. This is shown in Table 2 below. For example the Manawatu District has half as much Class I land (14,350ha) as the entire South Island (28,900 ha). Lastly, versatile soils have the greatest potential capacity for supporting life. Safeguarding the life-supporting capacity of soil is part of the definition of sustainable management in Section 5 of the Act.

**TABLE 2 – LUC CLASSES IN MANAWATU DISTRICT COMPARED TO NEW ZEALAND.**

LUC Grouping	Manawatu District	Manawatu Wanganui Region	North Island	South Island
LUC Class I	5.5%	1.5%	1.3%	0.2%
LUC Class II (except IIs)	12.9%	3.9%	4.0%	2.1%
Other LUC classes	80.7%	93.9%	92.2%	93.4%
Rivers, lakes, towns, estuaries, etc	0.9%	0.7%	2.5%	4.3%
TOTAL	100.0%	100.0%	100.0%	100.0%

Source: Data Supplied By Landcare Research, May 1998.

This Plan has included particular policies and objectives for versatile soils because:

- They are a special and limited resource (as set out above).
- They are under a lot of pressure locally, especially around the edge of Palmerston North. Their options could be severely compromised, for example, by uniform small-lot subdivision.
- Their management is a real issue for the District's people, and also regionally.

Soil quality is only one of the factors that influence the actual uses to which land is put. Other factors include current levels of land use, location, water, microclimate, community values, scarcity, drainage and infrastructure.

The Regional Policy Statement recognises Class I and II soils as special compared to the rest. RPS Policy 5.1 states that: "*All land shall be managed sustainably. In particular the adverse effects of land use activities resulting in a significant: (inter alia) irreversible loss of Class I and II land ... Shall be avoided, remedied or mitigated.*"

This Plan's rules treat versatile land differently in only three ways. Firstly the impact on high quality soils is one of the factors which needs to be taken into account when looking at proposed urban expansion. (Refer: Subdivision Objective 8, Page 53). Secondly that impact also needs to be considered when assessing a discretionary activity. (Refer: Rule A1 1.3.4, Page 94). Thirdly the versatile land has a different average lot size control for subdivision compared to the rest of the District – 8ha vs 4ha. (Refer: Objective S1, Page 46).

### **District Plan Methods**

- District Rules A1 1.3.4 and B3. (Pages 94 and 124).

### **Other Methods**

- Involvement in research projects aimed at establishing what land uses are sustainable for different land types.
- Involvement in education initiatives aimed at promoting more compatible use of the District's land resource.
- Land and Water Regional Plan.

### 4.3.2 RURAL CHARACTER & AMENITIES

#### **Objective**

**LU 8) To maintain and where appropriate enhance the rural character and amenity of the District's rural areas, which includes:**

- i) A predominance of primary production and other rural activities.**
- ii) A landscape within which the natural environment (including farming and forestry landscapes) predominates over the built one.**
- iii) The environmental contrast and clear distinction between town and country.**
- iv) The natural quality of the District's indigenous forest areas, rivers, lakes, wetlands and coastal strip.**
- v) A high level of amenity and avoidance of those activities that can detract from this including unfinished or derelict buildings, piles of junk and car bodies being stored in the open.**

**(Issues 3, 4 and 7) (Refer also: Objectives LU 5, LU 9 and LU10 -Pages 12, 19 and 21).**

#### **Policies**

- a) To ensure that new and existing development does not adversely affect the existing character and amenity of the rural zones.
- b) To recognise that amenity values vary within the zone, and ensure that any nuisance generated by existing activities is mitigated.
- c) To avoid the adverse effects on the rural environment which could result if some historical subdivisions and paper towns were to have houses built on them.
- d) To enhance the rural environment by using selected spare areas of road reserve for tree planting, provided that the adverse effects referred to in **3B.3 Policy 1.1(e) Policy 4.3.4 h)** are avoided.
- e) To avoid where possible, or mitigate the adverse visual effects of activities that are inherently unsightly, or are detracting from the visual amenities of the zone.
- ~~f) To avoid the cumulative effect which a proliferation of advertising signs would have upon the amenities of rural areas.~~

#### **Explanation**

Policy a) reflects the fact that industrial, commercial and tourist operations as well as new housing have the potential to adversely affect the character of the rural environment, particularly in the areas of highest demand around Palmerston North and Feilding. The impact of the density of new housing in the rural zones is managed through average lot size controls and a rule which limits ribbon development of houses along and close to rural roads. (Refer Rule B3 3.3.1C), Page 126).

The presence of a family flat, in addition to a residential dwelling on a site, can adversely affect the character and amenity of the rural environment. In order to manage the nature and density of development within the Rural Zone, the number of dwelling units and the size, location and access to family flats will be restricted. The size and scale of family flats are to be secondary to that of the main dwelling.

Small scale industrial and commercial activity is permitted in the rural zone, since its effects are little different to what a farmer may be involved in anyway, eg retail sales or some light manufacturing in the implement shed.

Beyond the “home occupation” scale, specific provision has been made for those non-farming activities which fit into the rural scene rather than intruding upon it (ie the things which people expect to see in the countryside.) Some examples are silos, sawmills, quarries, golf courses, contractors’ depots and halls. While these activities are specifically listed, there is scope to consider other proposals as non-complying activities if they do not conflict with the Plan’s objectives.

The Plan recognises that there are some activities (mainly industries) which need to be located in rural areas due to their effects upon towns or vice versa. One example is landfills. As noted in Policy 4.3.4 b), however, the first aim with “broad-impact” operations is always to reduce their effects “at source”. Policy b) above reflects the fact that there are parts of the rural zones which currently have different levels of amenity compared to the rest, due for example to the presence of a broad-impact land use such as an airport or industrial complex.

Special management has been afforded to the rural area around Milson Airport for noise attenuation reasons. Special controls restrict the establishment of residential land uses, and those involving the congregation of people, within a defined air noise area. (Refer explanation to Objective LU 25- Page 34). These controls also have the added benefit of reducing the risk of injury to people from aircraft accidents near the end of the runway.

Policy c) refers to the many small “historical” land titles which exist throughout the District, including some “paper towns”. If each of these titles is built on, new rural-residential enclaves could develop which have effects which conflict with Objectives LU 8 and S1 to S5. This Plan’s approach is to assess each title against the rural density sought by the subdivision rules, and if it would meet that density, a house can be built. The Plan does however support the development of smallholdings around some specific localities. (Refer Policy 5.3.3 b), Page 48).

There are many “spare” areas of legal road throughout the District, eg where the road verges are very wide. Policy d) recognises that planting those areas in trees would be a better use of resources and may improve the amenities of the countryside. The locations for such plantings have to be chosen carefully, to avoid any adverse effects upon neighbours and road safety.

Policy e) recognises that visual impacts resulting from land use activities, particularly those termed “eyesores”, can be a real problem. If sited prominently or if grouped together in one place, they can have a serious effect on environmental quality. The Plan enables Council to place screening requirements on activities like auto wreckers which are inherently unsightly, or to decline consent for such proposals. Individual problems can also be dealt with by way of abatement notices or enforcement orders.

~~This Plan does not generally control the colour or exterior appearance of buildings, because such matters are so subjective. What one person regards as appalling others may think is acceptable or even attractive. An exception is relocated buildings. The Plan needs to manage the visual effects of the initial period after relocation and to prevent the type of eyesore which results from a relocated building being left unfinished for years. A monetary bond is a proven way of ensuring that such work is finished.~~

The Plan has taken landscape effects into account when putting land uses into the permitted, controlled and discretionary categories (eg structures become discretionary if over 20m in height). The activities which are least likely to fit into the neighbourhood will usually need land use consent, and Council can therefore individually vet their landscape effects. While Objective LU 8 and related policies concern the amenities and landscape of

the whole District, Objective LU 9 below introduces some supplementary policies for specific places which have been identified as having outstanding landscapes.

~~Signs are necessary for informing people, for helping them to navigate, and to assist them to find specific properties and businesses. A proliferation of signs can however result in visual “clutter”, which detracts from the amenities of the area. They can also have an adverse effect on traffic safety. (Refer Policy 4.13 a), Page 40).~~

### **District Plan Methods**

- District Rule B3 (Pages 124-133) and land use consent conditions, including bonds for relocated dwellings.

### **Other Methods**

- Action as roading authority for District roads, to control signs.
- Amenity tree planting where appropriate.

### 4.3.3 OUTSTANDING LANDSCAPES

#### Objective

**LU 9) To protect and where appropriate enhance the quality of the District's outstanding landscapes, namely :**

- a) Pohangina River and river valley.**
- b) Oroua River and river valley upstream of the Mangoira Stream confluence.**
- c) Rangitikei River and river valley upstream of Putorino.**
- d) The ridgeline of the Ruahine ranges.**
- e) The Ruahine State Forest Park.**
- f) Pukepuke lagoon.**
- g) The coastline of the District, including the dune areas immediately adjacent to the sea.**
- h) The vistas from Stormy Point lookout and the Mt Stewart Memorial.**

**(Issue 11)** (Refer also: Objectives HV1, LU 5, LU 8 and LU 23 -Pages 7, 12, 17 and 32).

#### Policies

- a) To minimise the effect of new subdivision and development, particularly housing, upon the character of the parts of the Pohangina, Oroua and Rangitikei Valleys identified above, specifically:
  - i) The scenic qualities provided by the river and valley landscapes, prominent hills, the Ruahine Ranges, gorges, terrace formations, high bluffs and riparian margins.
  - ii) The ecological value provided by forest remnants, and
  - iii) The recreational, ecological and fisheries value of the rivers themselves.
- b) To in particular require greater separation between dwellings in the Pohangina Valley to minimise the adverse effect of such development upon the Valley's landscape and to protect the amenities of the Valley's residents.
- c) To permit development of the Ruahine State Forest Park and Pukepuke lagoon which is consistent with their reserve status and approved management plans.
- d) To prevent inappropriate subdivision, land use and development in the coastal area.
- e) To protect the important views from the Stormy Point and Mt Stewart lookouts.

#### Explanation

The places listed above, apart from Stormy Point and Mt Stewart, are recognised by the Regional Policy Statement as being outstanding landscapes and natural features. The values of these features and landscapes which make them important are to be "protected from inappropriate subdivision, use and development". Council also considers the view of the Rangitikei River terraces and distant mountains from Stormy Point to be an outstanding landscape vista, along with the view from the Mt Stewart Memorial. This Plan aims to retain

the amenity of rural areas throughout the District (Objective LU 8, Page 17) but to be consistent with the Regional Policy Statement the above places need additional special treatment.

The Ruahine Ranges and Pukepuke lagoon are already protected by having reserve status. They have management plans which are approved through a public input process and which seek to maintain the ecological value of the reserves for the long-term.

Management of the natural character of the coastal area is dealt with by Part 4.10 (Page 32). This Plan uses the term “coastal area” to refer to the land within 4km of the ocean. (Refer Planning Maps 14 and 18). This 4km strip contains the coastal dunes and the dynamic sand ecosystems behind, including the main interdunal lakes and wetlands. Policy d) is to be implemented through Council negotiating specific covenants with surrounding land owners to preserve the existing views from the Stormy Point and Mt Stewart lookouts.

The Plan’s rules require that the special qualities of the Pohangina, upper Rangitikei and upper Oroua valleys be taken into account when assessing any discretionary subdivisions or land use consents within these areas. (Rule A1 1.3.4, Page 95). Any impacts on bush reserves and natural areas must also be taken into account.

The Plan also places additional controls over the location of dwellings in the Pohangina Valley. Local surveys have shown that the Valley’s landscape is valued highly by those who live there. The main physical elements of the special landscape include:

- The dark backdrop of the tall, rugged Ruahine ranges, snow-clad during winter.
- The strong horizontal lines of the river terraces.
- The softer rolling contours of the pasture covered foothills.
- The rapids and pools of the fast-flowing Pohangina River.
- The river flats, interspersed with small remnants of native bush, rows of Lombardy poplars, and willow-lined watercourses.
- The seasonal variations in the colours of the landscape caused by the extensive plantings of deciduous trees shedding and re-growing their leaves.
- The open broad open spaces in pasture, particularly along the roads up either side of the Valley
- The substantial areas of bush around Totara Reserve, and the mature and regenerating bush on the terrace faces and in the steep gullies leading into the hills.
- The long vistas of the distant valley, terraces, hills and mountains.

These elements combine uniquely in a balance of contrasting colours and form, of the natural vegetation, agricultural grasslands, plantation forestry and amenity planting. The result is an outstanding landscape. There is a feeling of tranquillity and of “being close to nature” in the Valley. This is enhanced by the native birds, the recreational values of swimming and fishing in the river, and tramping the walkways, reserves and ranges. An integral part of this high level of amenity is the feeling of not being “hemmed in” by neighbours.

Landscape assessments conducted by J Hudson have shown that development of new houses in certain parts of the Valley (particularly on the open river terraces) is likely to result

in adverse effects on the landscape. Houses on new sections in the Valley will have to meet a requirement that they be sited at least 250m from any existing dwelling. This rule will help to limit the density of dwellings and the number of houses which can be built along the prominent terrace edges and in the open spaces which are an important part of the character of the Valley. This rule will also assist in maintaining the special amenity of the Valley for those living there, by requiring greater separation between neighbouring houses.

The number and potential siting of new houses is largely set at the subdivision stage, so any subdivision plans must identify possible house sites on each new allotment which comply with the 250m separation requirement. Council recognises that in some situations a cluster of new allotments at one edge of a property may have a smaller impact on the Valley's landscape than house sites which are evenly-spaced at a 250m distance. For this reason, proposals for such clusters of allotments will often merit approval as a restricted discretionary activity despite the 250m distance not being met by the building sites within the subdivision. It is important however that the overall number of new allotments created by a cluster proposal (ie the average density) does not exceed the number which would have been possible under the 250m spacing requirement.

The landscape study did not find that any special control over farming, forestry, vegetation clearance or farm buildings was warranted by the potential landscape impacts. The usual Rural zone controls still apply, and these aim to maintain the rural amenity of the Valley. Council will promote house designs and forestry plantings which are sympathetic to the Valley's landscape by publishing and using design guidelines. Forestry planting should for example avoid using terrace risers if this would obscure the horizontal line of an open terrace above.

Planning Map 12 shows some "long vistas" in the Valley which are important to the whole community, eg from the road near the Awahou School. These "community views" could be obstructed by future tree planting etc, and, like views from Stormy Point and the Mt Stewart lookout, will be addressed by negotiated agreement with the landowners concerned.

Special Plan controls for the Oroua and Rangitikei valleys are not proposed at this time, since they are not under the same pressure for development. Special controls may however be considered in the future depending on development trends in these places.

### **District Plan Methods**

- District Rules B3 3.3.1 D) and C2 2.4.1 H) (Pages 126 and 157).

### **Other Methods**

- Covenants for Stormy Point and Mt Stewart.
- Covenants for the significant community vistas in the Pohangina Valley. (Refer to District Planning Map 12)
- Design guidelines for new houses and other buildings in the Pohangina Valley.
- Guidelines for forestry plantings which minimise landscape impacts.
- Reserve Management Plans for Pukepuke Lagoon and the Ruahine State Forest Park.

#### 4.3.4 POTENTIAL CONFLICT BETWEEN RURAL LAND USES

##### Objectives

**LU 10) To ensure that rural dwellings and properties enjoy a level of rural amenity consistent with the presence of primary production and other rural activities in the zone** (Refer also: Objective LU 5 -Page 12).

**LU 11) To minimise conflict between potentially incompatible activities in the rural zone, for example between rural houses and activities such as primary production and rural industries** (Refer also: Objectives LU 1 and 2 -Page 12).

**(Issue 5)**

##### Policies

- a) To recognise that rural residents will need to accept that some adverse effects may result from normal primary production and other rural activities from time to time.
- b) To avoid, remedy or mitigate the adverse effects of broad-impact land uses as far as practical, while recognising that the effects of such activities cannot, by their very nature be confined within the site concerned.
- c) To ensure that the potential use of nearby properties is not unduly constrained by the establishment of a new broad-impact land use.
- d) To ensure that the presence of existing land uses and their right to continue is recognised by those who purchase or use land within the area affected by those land uses.
- e) To avoid or mitigate the adverse effects of mineral exploration, extraction and processing operations, while recognising the importance of minerals as a natural resource.
- f) To mitigate the adverse effects of intensive farming activities.
- g) To ensure that buildings and pens which house animals from time to time, are adequately separated from adjoining properties.
- h) ~~[Deleted PC55] To ensure that the adverse effects of tree planting near property and road boundaries are avoided or mitigated where necessary. This particularly involves trees overshadowing neighbouring properties or blocking visibility for traffic at intersections.~~

##### Explanation

Managing the effects of land uses upon each other is one of the core roles of District Plans. Objectives LU 10 and LU 11 above relate to effects on neighbouring properties and residents, rather than on rural character and landscapes.

The term “broad-impact land use” in policies b) and c) refers to those activities which tend to have an effect upon neighbours sited hundreds of metres away. Examples are gun clubs, motocross tracks and rendering plants. Broad-impact uses often seek a location in rural zones due to a perceived incompatibility with urban areas.

Often the most effective way to reduce the impact of any land use is at its source. Vehicles can be muffled, smokestacks can be filtered, or a curfew can be placed on night operations. There is however a limit as to how much can practically be done to reduce the effects of some land uses like airports. In such cases having a satisfactory distance between the land use and its neighbours, or additional soundproofing for the neighbours' houses, can be an important way of mitigating effects. The most effective method of reducing nuisance will vary from situation to situation, and the best option should be chosen in each case.

Special management has been afforded to the rural area around Milson Airport for noise attenuation reasons. (Refer explanation to Objective LU 25- Page 34). These controls also have the added benefit of reducing the risk of injury to people from aircraft accidents near the end of the runway.

In general most of the cost of providing an adequate separation distance (or mitigation measures on the neighbour's property) should be borne by the proprietors of the nuisance. For example a desirable buffer distance between a particular broad-impact land use and neighbouring dwellings may be 300 metres. If the nuisance source is permitted to be established 50 metres from the property boundary, effectively 250 metres of the neighbour's property is being used as a buffer. The neighbour then bears the costs in terms of their ability to subdivide, sell, build on or otherwise enjoy that part of their property. For the same reason it is appropriate to measure separation distances to boundaries rather than to nearby existing dwellings.

There are many existing activities which do not have adequate buffer areas. Such operations, if lawfully established, have a right to continue. This must be recognised by those who subdivide or build nearby. Expansion prospects for such facilities often depends largely on whether the proprietors have been "good neighbours".

Virtually the only mineral extraction within the District in terms of Policy e) involves sand, gravel and aggregate quarrying. Quarrying in the hill and sand country, and gravel extraction from riverbeds will be covered by Regional Council Plans, for soil conservation and river management reasons. The District Plan complements these by requiring consents for extraction in areas within Council's jurisdiction, so that effects on neighbours and the surrounding area can be addressed. These include dust, noise, vibration and heavy traffic movements. Prospecting and small-scale excavations have a relatively minor effect and are therefore permitted in the Rural zones. Some river beach extractions also have a minor effect due to their relative isolation. Processing of gravel will be regarded as an industrial activity. Short term use of a portable crushing plant is however permitted as a temporary activity. (Refer Rule A2 2.2, Page 97).

Intensive farming is defined in Rule E, (Page 168). It can involve potential odour problems, noise, and large quantities of effluent. The problems arise largely from the intensive way in which the animals are kept. The same animals run on pasture would have a similar impact to horses or cattle. The Plan aims to control the scale of intensive farming and its proximity to neighbours. Accordingly small-scale operations, and buildings which occasionally hold animals, are permitted activities if they meet specific yard requirements. Larger operations will be regarded as discretionary activities, and will be assessed on their merits. Separation distances may be substantially reduced if "low-nuisance" designs and management systems are used. The issue of effluent disposal is governed by the Regional Council. This Plan is however still concerned with waste disposal issues, since land use consent should not be granted if effluent disposal cannot be properly taken care of.

Some land uses that are discretionary activities in the rest of the Rural zone may be more appropriate as non-complying activities in nodal areas. Activities like intensive farming, landfills, rural industries and kennels are potentially incompatible with the rural-residential housing that can be expected to develop in such areas over time.

The potential impacts of tree planting vary considerably depending on the species involved, and how they are trimmed and spaced. They are often welcomed by neighbours due to the shelter and privacy which results. Many of the possible impacts of tree planting can adequately be dealt with under other legislation, eg fire risk and impacts on adjoining roads such as frost formation or potential root damage to the road surface. The Plan's rules therefore concentrate on managing the effects of overshadowing by trees on the amenities of adjacent properties and dwellings, and on potential obstruction of sight lines at intersections. The Plan contains minimum set-back distances for planting from property boundaries, if that planting would grow to over 4m in height. There are larger separation distances for planting from rural dwellings and Residential and Village boundaries. These setbacks will not apply if neighbour's consent is obtained. Shading of dwellings is limited to certain times of the year at different times of the day, to preserve a minimum standard of amenity for residents. Consent also needs to be obtained from the road controlling authority if the planting might obstruct visibility at an intersection.

### **District Plan Methods**

- District rules and separation distances – Rule B3, Pages 124-133.
- Abatement notices or enforcement orders

### **Other Methods**

- Industry standards and guidelines.
- Land and Water Regional Plan.

## 4.4 RESIDENTIAL ZONES

### Objective

- LU 12)** *To maintain or enhance the residential character of Feilding’s residential zones, and the amenities of its residents, which includes:*
- i)** *A mainly low-density residential appearance, dominated by detached dwellings, but with scope for other forms of housing which provide a range of different lifestyle options.*
  - ii)** *A safe environment free of potentially hazardous installations. Refer also: Objective LU 26 -Page 39).*
  - iii)** *A green, well-treed appearance and open streetscape, with landscaping wherever possible on streets and in public areas, and with ample room for planting on private sections and front yards.*
  - iv)** *Adequate access to sunlight for homes and properties, without prolonged shadowing from buildings trees or structures on other site.*
  - v)** *Residents are not subjected to fumes, smoke, or odour problems from other properties.*
  - vi)** *A level of aural and visual privacy consistent with suburban living, with a quiet neighbourhood at night. (Refer also: Objective LU 25-Page 34)*
  - vii)** *A reasonable amount of vehicle parking provided on-site rather than on the street. Large expansive parking areas are not found in the Residential zone.*
  - viii)** *Neighbourhood streets cater for pedestrians and local traffic rather than encouraging through-traffic. Heavy vehicles are seldom seen in neighbourhood streets. The design of residential areas promotes traffic safety and walking or cycling as modes of transport. (Refer also: Objectives LU 27 and S 9, -Pages 40 and 55).*
  - ix)** *Problems associated with dogs and other wandering, dangerous or noisy animals are kept to a minimum. Stock droving does not occur through town.*
  - x)** *Residents have good access to public open space, and to social, recreational and appropriate employment opportunities in the residential zone, eg places of assembly, education facilities and community services. Adequate access to these places is provided for people with disabilities. (Refer also: Objective S9, -Page 55).*
  - xi)** *Residential streets generally have a tidy appearance.*
  - xii)** *Any impacts of non-residential activities on the residential environment are avoided, remedied or mitigated, particularly in terms of noise, traffic generation, parking requirements, outdoor storage space, potential danger and visual appearance.*
  - xiii)** *A high level of amenity and avoidance of those activities that can detract from this including unfinished or derelict buildings, piles of junk and car bodies being stored outside*

**(Issue 5)** (Refer also: Objectives LU1, LU2 and LU5, -Page 12).

## Policies

- a) To ensure that new and existing development does not adversely affect the character and amenity of the Residential zone.
- b) ~~[Deleted PC55] To strictly limit the number, size and type of signs displayed in the zone and to ensure that they are safe.~~
- c) To recognise the benefits which home occupations can have, so long as any adverse effects on the environment are kept to a minimum.
- d) To recognise that residential properties near Business or Industrial zones may experience permitted adverse effects resulting from activities in those zones.
- e) To avoid where possible, or mitigate the adverse visual effects of activities which are inherently unsightly or are detracting from the visual amenities of the zone.

## Explanation

The objective above outlines the environmental outcomes which should be fostered. The controls applied by the previous District Schemes have produced a reasonable result in terms of residential amenity. This Plan therefore retains the effective rules from the past.

Multi-unit developments on small sections in Feilding have not always measured up to the level of amenity which the town should be trying to achieve. The problem may result from a perceived lack of green space around the dwelling, from a high floor area to site area ratio (eg with a two storied dwelling), or from the use of “low-cost” materials. Rather than raising the minimum size of building sites, the Plan will require a closer examination of building size, layout and site coverage on smaller sections.

~~The Plan’s approach to relocated buildings in Residential zones is the same as for Rural zones (Refer: Policy 4.3.2 e), Page 17). In the interests of streetscape amenity, garages on residential front yards will also be a controlled activity.~~

~~A proliferation of signs can result in visual clutter, which detracts from the amenities of residential zones. They can also have impacts on traffic safety (Refer Policy 4.13 a), Page 40). For these reasons the range of permitted signs in the zone will be tightly limited.~~

The concept of people starting a small business from home is widely accepted. Such businesses have many benefits, like reducing travel costs, providing an affordable start for new enterprises, and producing more interesting and varied neighbourhoods. They can provide convenient meeting venues, convenience shopping and social services for residents. People also expect to pursue their hobbies at home.

The scale and effects of such activities must however be managed properly, so that the quality of the zone is not compromised. The Plan aims to deal with the effects which home occupations and non-residential activities have, rather than with what the business or activity is. Whether it is being done for profit or as a hobby is not relevant. Action can be taken on specific “eyesores” and nuisances via abatement notices and enforcement orders.

## District Plan Methods

- District Rule B1, Pages 108-116.

- Abatement notices and enforcement orders

#### **Other Methods**

- Beautification of residential areas, including appropriate street trees and open space.
- Promotion of civic pride, eg Keep Feilding Beautiful activities.
- Animal control and stock droving bylaws

## 4.5 VILLAGE ZONE

### Objectives

**LU 13) To maintain and develop the unique character and separate identity of the District's smaller settlements, namely Kimbolton, Apiti, Halcombe, Bunnythorpe, Longburn, Sanson, Rongotea, Himatangi Beach and Tangimoana. This distinctive "village" character is different from Palmerston North and Feilding, and results from elements such as:**

- i) A low density of residential development with larger section sizes and more open space.**
- ii) Different road formation standards with less concrete and asphalt and more grass and shrubs.**
- iii) Closer access to, and similarities with, the countryside.**

**LU 14) To maintain or enhance the residential amenity within those communities, which includes:**

- i) A mixture of residential, commercial, service, industrial and community activities is achieved while protecting and enhancing the amenities of the village as a place to live.**
- ii) Access to adequate sunlight for residents' homes and properties, without prolonged shadowing from buildings, trees or structures on other sites.**
- iii) Residents are not subjected to fumes, smoke or odour problems.**
- iv) A level of aural and visual privacy consistent with small township living, with a quiet neighbourhood at night. (Refer also: Objective LU 25 - Page 34).**
- v) A green, well-treed appearance and open streetscape, with planting on streets and in public places wherever possible, and with ample room for planting on private sections and front yards.**
- vi) Most vehicle parking being provided on-site rather than on the street**
- vii) Residents have access to public open space and to recreational and social opportunities, eg places of assembly, education facilities and community services. Adequate access is provided to these places for people with disabilities.**
- viii) The township generally has a tidy appearance.**
- ix) Neighbourhood streets cater for pedestrians and local traffic rather than encouraging through-traffic. Street design promotes traffic safety and recognises that walking and cycling are important methods of transport. (Refer also: Objective LU 27 -Page 40).**
- x) Problems associated with dogs and other wandering, dangerous or noisy animals are kept to a minimum. Stock droving does not occur through the centre of the village.**
- xi) Recognising that some of the villages are sited near broad-impact land uses.**
- xiii) A high level of amenity and avoidance of those activities that can detract from this including unfinished or derelict buildings, piles of junk and car bodies being stored outside.**

**(Issue 5)**

**(Refer also: Objective LU 5 -Page 12).**

### Policies

- a) To ensure that new and existing development does not adversely affect the character and amenity of the Village zone.
- b) To assist in improving the visual appearance of the District's settlements.

- c) To improve traffic safety within the communities, particularly those which have arterial routes running through them. (Refer also: Objective LU 27, Page 40).
- d) To ensure that the housing density sought in the unsewered townships takes the possible cumulative effect of domestic effluent disposal into account.
- e) To ensure that non-residential activities are compatible with the township concerned, and have acceptable impacts in terms of noise, traffic generation, parking requirements, potential danger, and visual appearance.
- f) ~~[Deleted PC55] To strictly limit the number, size and type of signs displayed in the zone, and to ensure that they are safe.~~
- g) To avoid where possible, or mitigate the adverse visual effects of activities that are inherently unsightly, or are detracting from the visual amenities of the zone.

### **Explanation**

The above objectives and policies are justified by the Act's statements about amenity values and social and environmental matters. The Plan's policies and rules should also of course reflect the community's aspirations.

A common theme for the smaller settlements is that their village character is valued. Residents have chosen not to live in a large town. Himatangi Beach and Tangimoana in particular are viewed as places of retreat. Residents want a bit of space around them and like the quality of life, which is difficult to define but includes having "nice people" in the community. Each settlement should develop in ways which don't compromise the character which people value. The Plan's policies for outward spread of each township are set out in Part 5.3.8. (Page 53). This is complemented by a provision for possible development of rural house allotments (down to 4000 m<sup>2</sup> in size) as a discretionary activity around the perimeter of most of the Villages. (Refer Policy 5.3.3 b), Page 48)

In the unsewered townships (Apti, Himatangi Beach and Tangimoana) the maximum density of houses is limited by the need to dispose of septic tank effluent in an environmentally-acceptable way. The use of new and improved disposal systems in the future could have an impact on what density is considered appropriate. The seweraged villages (Sanson, Rongotea, Longburn, Bunnythorpe, Cheltenham, Kimbolton and Halcombe) do not have this constraint. A larger site area per dwelling has still been set in these townships compared to Feilding, to reflect the more rural ambience which is being sought in these places.

Quite a wide range of non-residential uses are provided for in the Village zones, particularly in the established "village centres" which have been marked with "identified frontage" on the Planning Maps. This level of flexibility reflects the service nature of the District's townships and the impracticality of having a number of "spot" zones.

Some of the Villages are located close to broad-impact land uses such as industrial plants or airfields, and this has an impact on the level of amenities which those townships have. Council will aim to provide information through the Plan to make land users aware of these effects, eg the noise contours around Ohakea Air Base shown on Fig. 1.

~~The Plan's approach to signs, relocated buildings and "eyesores" in the Village zones is the same as that for Residential zones. Controls are imposed for the same reasons. (Refer Part 4.4, Page 23).~~

### **District Plan Methods**

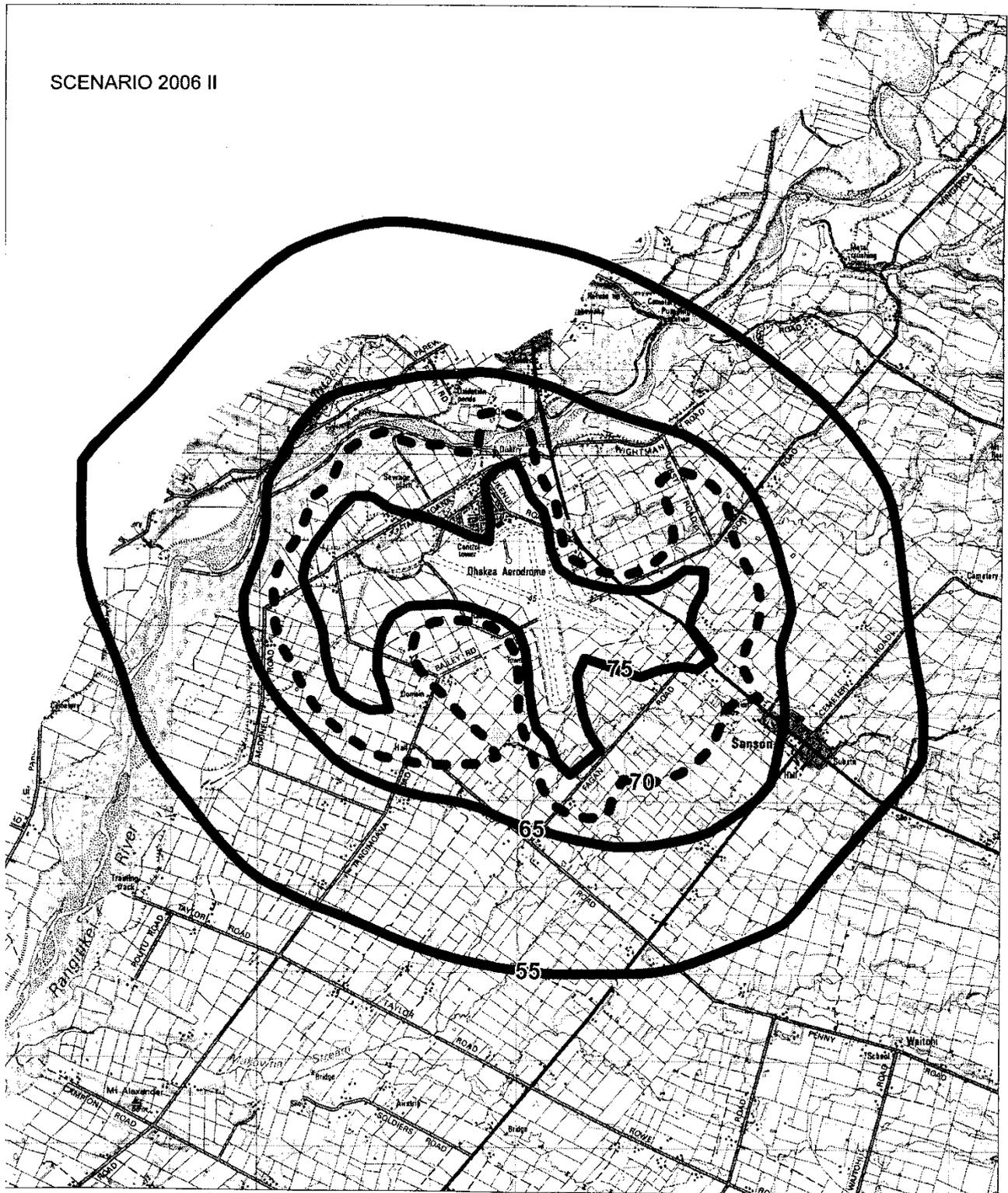
- District Rule B2 (Pages 117 to 123).
- Abatement notices and enforcement orders.

- Plan rules setting the maximum density of development in each township (Rule B2 2.3.1 A), Page 118) and defining any limitations to its future growth.

#### **Other Methods**

- Settlement beautification projects to improve the appearance of the townships.
- Roading works and traffic management measures to improve traffic safety within the communities.
- Different construction standards for vehicle crossings, kerb and channel, right-of-way formation etc in the villages, as compared to Feilding.
- Animal control bylaws.

**FIG.1 - OHAKEA AIRBASE – CALCULATED NOISE CONTOURS (dBA Ldn)**



NB- An explanation of "Ldn" noise measurements is contained in Fig. 3. (Page 38).

## 4.6 BUSINESS ZONES

NB – APPLICABLE ONLY TO SITES NOT REZONED INNER OR OUTER BUSINESS AS A RESULT OF PC46

### Objectives

**LU 15) To promote the efficient use and development of existing physical resources within Feilding's Business zone.**

*(Issue 5f)*

**LU 16) To enhance the Central Business District's unique identity and its attractiveness as a place to do business, which includes:**

- i) Shop frontages within the central core of Feilding uninterrupted by vehicle accessways.**
- ii) The availability of sufficient parking, in places which are close to the shops and services concerned.**
- iii) Provision of pedestrian and cycle facilities, along with adequate access for people with disabilities.**
- iv) The existing historic character of the Central Business District and the Heritage Precinct in particular.**
- v) Appropriate greenery and pleasant sunlit places for people to sit and enjoy.**
- vi) Buildings and sites which are maintained to a high standard of appearance.**
- vii) Signage which does not produce visual clutter or create a traffic hazard.**
- viii) Security for premises in the zone.**
- ix) Avoiding problems associated with wandering, dangerous or noisy animals.**

*(Issue 5) (Refer also: Objective LU 5 –Page 12).*

**LU 17) To avoid or mitigate the adverse effects of Business zone activities upon residents and upon people using the zone.**

**LU 17A) To accommodate retail activities which would be enabling for the communities of Feilding and its wider environs so as to reinforce the function of the Feilding Town Centre.**

*(Issue 5) (Refer also: Objectives LU 1 and LU 2 –Page 12).*

### Policies

- a) To help make the Business zones more attractive, vibrant and user-friendly places.
- b) To improve awareness about, and protection of heritage places within the centre of Feilding and the Heritage Precinct in particular. (Refer also: Objective HV 1, Page 7).
- c) To encourage new and existing development to fit in with the historic character of the Heritage Precinct.
- d) To require verandah shelter on re-development adjoining Feilding's main shopping streets (Refer Rule B4 4.3.1 H), Page 136).

- e) To recognise the valuable contribution which the saleyards make to the character and heritage of Feilding.
- f) ~~[Deleted PC55] To ensure that noise and other nuisance does not have an adverse effect upon residents outside the zones.~~
- g) To ensure that people working and doing business in the zones are not subjected to undue nuisance.
- h) To ensure that residents of business zones have a level of amenity which recognises that some permitted adverse effects may arise from other activities in the zone.
- i) ~~[Deleted PC55] To ensure that signs do not interfere with pedestrian safety and are not themselves unsafe.~~

### **Explanation**

Feilding's main business area was identified as a major asset during Plan consultation. The town cannot compete with the variety of shops and services offered in Palmerston North, and instead needs to offer something different. Feilding's strengths are ease of parking, fairly pedestrian-friendly streets, and its historic character.

The existing buildings and infrastructure in the Central Business District are a significant resource in terms of the Act. Much of the investment actually belongs to the community, eg open spaces, community buildings, roads, footpaths, services. It is desirable to maximise the use of these assets. Having a prosperous Central Business District also has general benefits for the community in terms of employment and access to goods and services.

The District Plan's role is to help provide a pleasant physical environment, and to leave the businesses in the zones free of unnecessary restrictions. Any initiatives aimed at improving the financial viability of the town's businesses will be done by methods outside this Plan. (Refer: Part 0.11.2, Page viii).

The heritage buildings and saleyards in the town centre play an important part in its unique character and identity. (Policies b), c) & e)). This Plan provides for the saleyards and for the protection of the most important heritage buildings (Refer: Part 3.4, Page 7). It is vital for this heritage to be preserved, as the past is now part of our future (eg attracting tourists.) Old buildings can recapture their original style and new developments can respect the scale and style of the past. To ensure that the Edwardian character of the town centre is not lost or compromised, existing heritage facades must be retained. Most of the older buildings in the town's Heritage Precinct have therefore had at least their facades listed for protection. (Refer Appendix 1E, Page 178). New facades should be of an appropriate design which fits comfortably alongside older buildings.

Council will encourage owners to keep their buildings well-maintained, to use appropriate colours and emphasise any heritage features which the premises may have. Any new buildings or reconstruction of facades in the central core of Feilding (Refer Appendix 4A, Page 214) will be assessed in terms of the design guidelines in Appendix 1H to make sure that they are compatible with the town's character.

The Plan must deal with any adverse effects which activities in the zone might have upon users and neighbours. The level of amenity sought for residents in the zone is not as high as for neighbouring residential areas, to reflect the primary business purpose of the zone.

~~Signage is a normal part of the character of commercial areas. The only formal control which Council will exercise over signs in the zone is on State Highway 54 for traffic safety~~

reasons (Refer Policy 4.13 a), Page 40), and on footpath and under verandah signs for pedestrian safety reasons.

The Council's strategy is to proactively provide the opportunity for large format vehicle orientated retail activities to be established adjacent to the Town Centre (as opposed to more outlying sites) so that the benefits associated with large format retailing can be obtained while avoiding or mitigating any adverse effects. The block bounded by Aorangi, Eyre, Manchester and Gladstone Streets is adjacent to the Town Centre and is transition as traditional industrial and warehouse activities have vacated. Parts of the block have already been developed for "Town Centre" purposes. Accordingly, the Council considers that the block is suitable for large format, vehicle orientated retail activity.

### **District Plan Methods**

- District Rules A2 2.3 and B4, (Pages 98 and 134) and Appendix 1H. (Page 188).

### **Other Methods**

- Raising people's awareness of the value of heritage buildings and objects.
- Undertaking environmental improvements to, and regular maintenance of, the streets, footpaths and public places in the Central Business District.
- Traffic management tools to discourage heavy and through-traffic, and to make the area more pedestrian-friendly.
- Providing sufficient conveniently-located parking and other services.
- Appropriate security programmes and underverandah and street lighting, to help make the CBD safe and inviting.
- Bylaws which support the above.
- Council's Heritage Incentives Strategy.