

4.7 INDUSTRIAL ZONES

Objectives

LU 18) To avoid, remedy or mitigate any adverse effects of Industrial zone activities upon the environment, and upon people working in the zone or residents in other zones.

(Issue 5) (Refer also: Objectives LU1 and LU2 -Page12).

LU 19) To promote a standard of amenity within the zones which is consistent with their industrial purpose, so that:

- i) Streetscape values (particularly on main roads) are enhanced by having landscaped areas.**
- ii) The majority of parking needs and all loading and manoeuvring needs are catered for on-site.**
- iii) The number of eyesores resulting from unscreened outdoor storage of waste materials and junk is kept to a minimum.**

LU 19A) To facilitate the accommodation of large format, vehicle orientated retail activities adjacent to the Feilding Town Centre.

(Issue 5)

Policies

- a) To prevent the main function of Industrial zones being compromised by containing a mixture of residential and industrial activity.
- b) ~~[Deleted PC55] To ensure that visual effects, noise and other nuisance from the zone does not have an adverse effect upon residents outside the zone.~~
- c) To ensure that the transport, storage or use of hazardous substances does not endanger workers or residents.
- d) To ensure that industrial development does not cause water, air or soil contamination, or result in stormwater disposal problems.
- e) To ensure that all solid and liquid waste produced on-site is adequately treated and disposed of.
- f) To encourage street layouts, lighting and other mechanisms which contribute to a safe environment.
- g) To ensure that provision is made for walkways and cycleways where appropriate, along with adequate access for people with disabilities.
- h) To enable retail and commercial development in a manner that reinforces and extends the Feilding Town Centre.
- i) To enable large format vehicle orientated retail activities to establish in the block bounded by Aorangi, Eyre, Manchester and Gladstone Streets.

Explanation

Industrial zones are the proper place for activities which create a degree of noise, dust, heavy traffic or other effects. It is therefore important to exclude dwellings from the zone, since new residents may lobby for the legitimate industrial activities nearby to be curtailed.

Objectives 18 and 19 recognise that some “bottom-line” environmental standards must still apply in industrial zones. Residents outside the zone (and to a lesser extent workers within it) need to be safeguarded from nuisance. The District Plan requires landscaping on sites which directly adjoin an arterial route or lie directly across the road from the Residential or Village Zones. While industrial areas are a place for business and for activities which inherently have some “nuisance” elements, it is still important to maintain a standard of appearance within the zone.

There is increasing demand for and a shortage of supply of sites than can accommodate large format vehicle orientated activities.

The block bounded by Aorangi, Eyre, Manchester and Gladstone Streets is in transition because most of the traditional industrial and warehouse activities have ceased. The block is adjacent to the Town Centre and is suitable for large format vehicle orientated retail activities. The block is able to accommodate significant on site parking, and it is adjacent to a road network that can accommodate the traffic flows likely to be generated. Also the block does not contain any heritage buildings. Large format retail activity is required to be a minimum of 2000m²gfa to avoid potential “dilution” of the existing Town Centre.

Standards regarding traffic access are specified in Rule B5 5.3.3. It is likely that the appropriate mitigation to give effect to this standard for developments that generate significant traffic volumes from the Aorangi, Eyre, Manchester and Gladstone Street block onto SH 54 (Aorangi) would be in the form of turning lanes. Funding for such mitigation measures would potentially be sourced from the CBD Development Plan, as well as from appropriate Development contributions.

While the block bounded by Aorangi, Eyre, Manchester and Gladstone Street is suitable for large format vehicle orientated retail activities, recognition is given to the importance of convenient pedestrian facilities. Foot traffic can contribute to the vibrancy of Town Centres, given the proximity to the Town Centre a high standard of contiguous pedestrian facilities are encouraged to give effect to policy g.

District Plan Methods

- District Rule B5 (Pages 138 to 141).
- Abatement notices and enforcement orders.

Other Methods

- Service delivery for utilities and landscaping.
- Annual Plan methods to implement extra cycleways and walkways within and to Industrial zones.

4.8 RECREATION ZONES

Objectives

LU 20) To cater for the recreational needs of the District's people, while maintaining the amenities of other zones. (Refer also: Objectives LU 12 and LU 14 -Pages 23 and 25).

LU 21) To enhance the level of amenity within the Recreation zones, so that:

- i) Residents have access to and within the zone for active and/or passive recreation.**
- ii) Provision is made for walkways and cycleways where appropriate, and for access by disabled people.**
- iii) Parking areas are an appropriate size, to maximise the amount of space available for recreation.**
- iv) Any special heritage values of the reserve are protected and enhanced. (Refer also: Objectives HV1 and HV2 -Page 7).**
- v) The safety of people using facilities in the zone is promoted fully.**
- vi) Buildings are maintained to a high standard of appearance, and open spaces are attractive.**
- vii) People using the zone are not subjected to nuisance from incompatible activities.**
- viii) Problems associated with dogs and other wandering, dangerous or noisy animals are avoided.**

(Issues 5 and 12)

Policies

- a) To provide for a wide range of recreational facilities in the zone, consistent with the approved management plans for the reserves.
- b) ~~[Deleted PC55] To ensure that noise and other nuisance from activities in the Recreation zone does not have an undue impact upon neighbouring residents.~~

Explanation

The purpose of each reserve, (eg for bush protection or for active sportsfields) is included in the management plan for that reserve, along with any future plans for its development. Reserves management plans are prepared under the Reserves Act 1977 through a process of public input. Any work on the reserve must comply with the approved management plan.

The District Plan sets out environmental standards which the park's neighbours can rely on. Buildings and facilities on reserves can have an impact on the adjacent neighbourhood especially through noise and parking. The Plan sets out the broad range of activities which are acceptable on reserves, and the management plan process then determines which of these activities are suitable for a particular park.

District Plan Methods

- District Rule B6 (Pages 142 to 144).

Other Methods

- Service delivery as provider of Council's reserves.
- Annual Plan methods to implement disabled access and extra cycleways and walkways within and to Recreation zones.
- Animal control bylaws.
- Reserves management plans.

4.9 ACTIVITIES ON THE SURFACE OF RIVERS AND LAKES

Objective

LU 22) To protect aquatic habitats and ecosystems, residents and other users from the adverse effects of activities on the surface of the District's rivers and lakes. (Refer also: Objectives LU 1, LU 2 and EM 3, Pages 12 and 59).

(Issue 5)

Policies

- a) To mitigate the effects of surface water use by motorised craft, including noise, traffic, and conflict between users, at sites where such use is having an impact on amenity values or the environment.
- b) To assist in avoiding, remedying or mitigating the effects of surface water use upon aquatic habitats and ecosystems, particularly any adverse effects from motorised craft.

Explanation

District Councils are responsible for controlling the effects of boating and other activities on the surface of lakes (over 8ha in area) and rivers. The main effects are noise and conflict between users, eg swimmers vs power boaters. The Regional Council has authority for navigational safety on the Manawatu River and its tributaries under the Harbours Act 1950. It has passed a bylaw under that Act to control noise emissions and boat speeds and to co-ordinate activities on the surface of those rivers. This bylaw is a result of the Regional Council's long association with river user groups on the Manawatu River. Council fully supports it, but recognises that the primary responsibility for surface water activities under the Resource Management Act remains with the District Council.

Activities on the District's water bodies do not cause a significant nuisance at present. The Plan will need to intervene however, in places where intensive use by power boats is having an impact on neighbours and the local environment. The Plan also contains controls over the source of power boat noise. These are similar to those contained in the Regional Council's bylaws, and are necessary to make sure that noise on the Rangitikei River is addressed as well.

District Plan Methods

- District Rule A2 2.6, Page 106).

Other Methods

- Manawatu River Users Advisory Group.
- Regional Council Bylaws under the Harbours Act 1950.
- Water Recreation Regulations 1979.

4.10 THE COASTAL AREA

Objectives

LU 23) To protect the natural character and heritage value of the coastal area from inappropriate subdivision, use and development. (Refer also: Objectives HV1, LU 9, and EM 3 -Pages 7, 19 and 59).

LU 24) To ensure continued public enjoyment of the coast. (Refer also: Objectives EM 1 and EM 2 -Page 59).

(Issues 5, 6, 7, 11 and 12)

Policies

- a) To protect the identified significant natural, cultural and landscape values of the coastal area, including:
 - i) The scenic qualities of the beach and foredunes.
 - ii) Its ecological values, particularly those of the interdunal lakes, streams and wetlands.
 - iii) Its recreational value.
 - iv) Its significance to the Tangata Whenua.
 - v) The scientific value of its coastal geology.
 - vi) Its cultural and archaeological value.
(Refer also: Objective LU 9, Page 19).
- b) *To control the spread of urban development such as at Himatangi Beach and Tangimoana, recognising the following constraints:*
 - i) The potential for sand inundation and erosion at Himatangi Beach.
 - ii) The possibility of future sea level rise.
 - iii) Potential impacts upon the above natural and landscape values.
 - iv) Impact of any growth in Tangimoana upon the ecological value of the adjacent Rangitikei River estuary.
 - v) River control and drainage limitations at Tangimoana.
 - vi) The need to supply adequate sewerage and water supply facilities.
(Refer also: Objectives S 8 and NH 2, Pages 53 and 72).
- c) To avoid, remedy or mitigate any adverse effects of rural subdivision upon the natural character and ecological value of the coastal area.
- d) To maintain or enhance public access to the coast and to help provide the facilities which enable people to enjoy it, in a manner which protects sensitive areas and does not detract from the coast's natural character. (Refer also: Objective EM 2, Page 59).
- e) To avoid, remedy or mitigate any adverse effects of activities in the coastal area upon people, including public safety.
- f) To promote restoration planting of sand dunes, preferably using indigenous species if practical, and local genetic stock.

Explanation

Objective LU 22 follows on from Section 6 of the Act (Refer: Page 1). The Regional Policy Statement recognises the District's coastline, namely the beach, foredunes and interdunal lakes and wetlands, as an outstanding landscape. It has a number of other policies relevant to management of the coast. The Government's NZ Coastal Policy Statement also provides

some overall direction. It states that "It is important to maintain biological and physical processes in the coastal area in as natural a condition as possible, and to recognise their dynamic, complex and interdependent nature."

The Act uses the term "coastal environment" but does not define it. This is understandable since in some places steep coastal cliffs mean that the coastal band is quite thin. In other places like the Manawatu, sand dunes extend inland for 20km. This Plan uses the term "coastal area" to refer to the land within about 4 km of the ocean.

Dune lakes, swamps and young dunes are very poorly represented in the District's coastal area. The coastal strip of the District where sand is still drifting or has been stable for no more than 50 years is particularly important ecologically due to the distinctive plant communities which it supports. It has been identified on the Planning Maps as the "coastal vegetation area" and is subject to special controls on clearance of vegetation for this reason. (Refer Appendix 1J, Page 190). The focus should be on preserving the ecological values of these remaining natural areas, and on maintaining open spaces which play an important ecological role along the coastal fringe. Adjacent land uses can have adverse effects on natural areas and the natural character of the coastal environment by eliminating open space, covering dune landforms, or altering the water table of wetlands. Council will assist bodies such as the Department of Conservation in working alongside landowners to actively protect their natural areas.

The NZCPS also states that "it is a national priority to restore and rehabilitate the natural character of the coastal environment where appropriate". For example a series of ephemeral wetlands existed behind the foredune prior to the establishment of plantation forestry. These wetlands could be recreated by not replanting this area. As the coastline aggrades, another area of these wetlands can establish.

Coastal management is a "cross-boundary issue" (Refer: Part 11.2, Page 83). Responsibility for the beach front is split under the Act, with District Councils looking after the area above the high tide mark (Mean High Water Springs) and Regional Councils and the Department of Conservation having responsibilities in the area between high tide and the 12 mile limit. The various authorities therefore need to work closely together.

There are a number of good reasons for being cautious about further development in the coastal area. As well as landscape and ecosystem impacts, the potential natural hazards and servicing constraints justify a policy of limiting urban growth. For these reasons the Plan's rule allowing possible development of rural house allotments (down to 4000 m² in size) as a discretionary activity around many of the District's villages does not apply to Himatangi Beach or Tangimoana. Likewise rural subdivision in the coastal area has been made a discretionary activity so that its impact upon the coastal environment can be assessed. (Refer Rule C1 1.3.1, Page 152).

District Plan Methods

- District Rules B2, B3, C1 and C3, (Pages 117-133, 151 and 159-161).
- District Rules B3 3.4.1 A ii) and B7 7.4.1 A ii), (Pages 131 and 149).

Other Methods

- Complementary Regional Rules for the beach and coastal marine area.
- Discussions with coastal landowners about protection of their natural areas and about the possibility of not replanting trees behind the foredune to allow dune wetlands to re-establish.
- Public education and information about access to coastal areas.
- Bylaws and education to help minimise the impact of off-road vehicles.

4.11 NOISE MANAGEMENT

Objective

LU 25) *To avoid, remedy or mitigate the adverse effects of noise upon people's health and amenities.* (Refer also: Objective LU 2 -Page 12).

(Issue 5)

Policies

- a) ~~[Deleted PC55] To mitigate the adverse effects of noise upon residents in the Rural, Village, Residential and Business zones. (Refer also: Objectives LU 10, 12, 14, 17, and 22, Pages 21, 23, 25, 28 and 32).~~
- b) ~~[Deleted PC55] To recognise that industrial activities and primary production, particularly seasonal farming activities, may have unavoidable noise impacts beyond the boundary of the property concerned. (Refer also: Objective LU 10, Page 21).~~
- c) To apply the concepts of the NZ Standard for Airport Noise (NZS 6805:1992) to airports in the District, and to the land in the immediate vicinity of airports.
- d) To exclude any new school, place of assembly, hospital, dwelling or other accommodation from the Air Noise Area around Milson Airport.
- e) To mitigate the adverse effects of aircraft noise on any new school, place of assembly, hospital, dwelling or other accommodation in the Inner and Outer Control Areas around Milson Airport.
- f) ~~[Deleted PC55] To ensure that all activities take the Best Practicable Option to ensure that noise emissions do not exceed a reasonable level.~~

Explanation

~~Whether a particular noise is perceived by listeners to be a real nuisance depends on a number of different factors. These include the time of day, how quiet the neighbourhood is, how long the noise lasts, and the nature of the sound, eg a high pitched whine vs a low rumbling. The source of the noise is also very important. If it comes from an activity which most people in the area undertake or accept, (eg lawnmowing in town or vehicle noise or topdressing in the country), it is not usually regarded as a nuisance. The nuisance value of a noise is not therefore always related to its measurable level in decibels.~~

~~Section 16 of the Act states that every occupier of land shall “adopt the Best Practicable Option to ensure that the emission of noise from that land..... does not exceed a reasonable level.” The focus is on whether there are feasible methods which the occupier should be using to reduce noise levels. It is not actually an offence to breach Section 16, but BPO is a basic concept involved in issuing abatement notices. Even where this Plan contains no specific noise standards, Council can use abatement notices to take action against unreasonable noise.~~

~~Under the Act, District Plans are unable to control noise from vehicles on roads, and can only regulate aircraft noise in relation to airports.~~

The Plan's noise standards concentrate on providing protection for occupiers of dwellings (except those in Industrial zones). In Residential and Village zones non-residential activities have to meet a noise standard to qualify as a permitted activity. Residential activities will be controlled by abatement notices for specific nuisances. Fig. 3 on Page 38 explains some of the terms used in the Plan's noise standards.

In Rural zones the noise standards are measured at dwellings, and have been set at the upper (louder) end of the NZ Standards, to recognise that primary production may be noisy. No specific controls have been included for intermittent noisy farming activities such as late-night harvesting, topdressing strips, or bird scarers.

The Plan's noise controls for Industrial zones are measured at any nearby rural dwelling or residential zone. No specific standards are included to limit the effect of one industrial site upon another. The controls are again at the upper limit of the NZ Standards. Such zones are the proper place for noisy activities.

Business zones have stricter noise standards than Industrial zones. The standards aim to protect nearby residents and to provide some protection for residents and businesses in the zone. New dwellings are a controlled activity in the Business zone to ensure that they have some basic soundproofing. This will minimise conflict with neighbouring activities.

The Plan's standards set stricter noise limits at night, and for urban areas on Sundays. This reflects the fact that night time and Sundays are generally quieter, and that people expect to have peace and quiet at these times.

The NZ Standard for Airport Noise is concerned with managing aircraft noise in the vicinity of airports, to protect community health and amenity values. It is intended to ensure communities living close to airports are properly protected from the effects of aircraft noise, while recognising the need to be able to operate an airport efficiently.

Detailed investigative work using methods recommended by the NZ Standard has identified large areas of land surrounding Ohakea Air Base and Milson Airport which are subject to varying levels of noise intrusion from aircraft operations. A level of noise nuisance also results at times from light aircraft use of the Feilding Aerodrome at Taonui. The predicted future noise impact of Ohakea and Milson airports is shown on Fig. 1 (Page 27) and Fig. 2 (Page 37). Council recognises that all three airports are an important physical resource for the Manawatu region, including Palmerston North. They are key links in the regional transport network and national defence system, and together they enable people within the region to provide for their social and economic well being. It is therefore essential to put in place appropriate protection to ensure the efficient on-going use and development of the airports.

Council's plan of action for Ohakea and Taonui airports will emphasise working with the airfield operators and local communities to discuss noise issues and secure agreement to a noise management plan. This approach is in line with the NZ Standard's philosophy. The Royal New Zealand Air Force is preparing a Land Management Plan for RNZAF Base Ohakea, which will adopt the NZ Standard as the basis of control for airfield noise and as a guide to appropriate land use controls.

For Milson Airport, Council has followed the general approach suggested by the NZ Standard, and defined three areas around the airport within which varying levels of control will apply, based on the predicted degree of noise exposure in each area. The Palmerston North City Council has included parallel controls within its District Plan for the affected parts of the City, using the same data. The three distinct areas are shown on Page 203 and on the relevant Planning Maps, and are :

- a) Air Noise Area - The land with the highest level of aircraft noise exposure (above the 65 dBA L_{dn} predicted noise contour). Within this area any new noise sensitive activities, such as dwellings, are prohibited due to the adverse effect that aircraft noise will have on the health of their occupiers.
- b) Inner Control Area. This incorporates the land between the 60 dBA L_{dn} and 65 dBA L_{dn} noise contours. Within this area habitable rooms associated with any new educational or residential activity will be required to be insulated to a standard which will ensure that any disturbance to sleep or conversation attributable to aircraft operational noise is properly mitigated. The construction must meet a noise insulation rating of 20 decibels for habitable rooms, 25 decibels for classrooms and communal activities, and 30 decibels for bedrooms. These standards are based on both the maximum L_{dn} noise prediction and the maximum single noise event generated by an aircraft at night.
- c) Outer Control Area - Which incorporates the land between the 55 dBA L_{dn} and 60 dBA L_{dn} contours. In the Outer Control Area disturbance to sleep has been identified as having the greatest potential for disruption to people and for causing complaint about aircraft activity. The insulation requirement for new dwellings in this area is 25 Decibels for bedrooms, to protect against sleep interference, and 20 decibels for classrooms and communal activities. (As the maximum aircraft noise level in this zone is five decibels less than in the Inner Control Zone, sound insulation requirements are also five decibels lower).

Materials and methods of construction are described in Appendix 3A Schedules P, Q and R. If properly built and maintained, buildings constructed of those materials will be deemed to provide the following sound insulation against aircraft noise:

Schedule P 20 decibels

Schedule Q 25 decibels

Schedule R 30 decibels

The materials provided in the Schedules include a safety factor of 5dBA to ensure that when built the insulation does not fail to provide the requisite degree of aircraft noise reduction. Accordingly, to be permitted, any proposal using alternative means of insulation to that prescribed in the Schedules, shall also include a 5dBA safety margin.

The responsibility for mitigating air noise impacts should not fall solely on present and future land owners around the airport. The airport operators should also play their part by working within noise limits and by looking for the best practicable option for noise reduction. To this end, the Palmerston North District Plan contains specific measures to limit noise from the operation of the Airport. This includes a requirement for aircraft operations associated with the Airport to comply with a 65 L_{dn} limit, measured at the air noise boundary.

Subdivision within the area affected by the air noise controls will be dealt with through the Plan's requirement to identify a potential house site for each new allotment which meets the Plan's standards. If a new lot is wholly within the Air Noise Area, for example, this requirement will not be met and the subdivision may be declined accordingly.

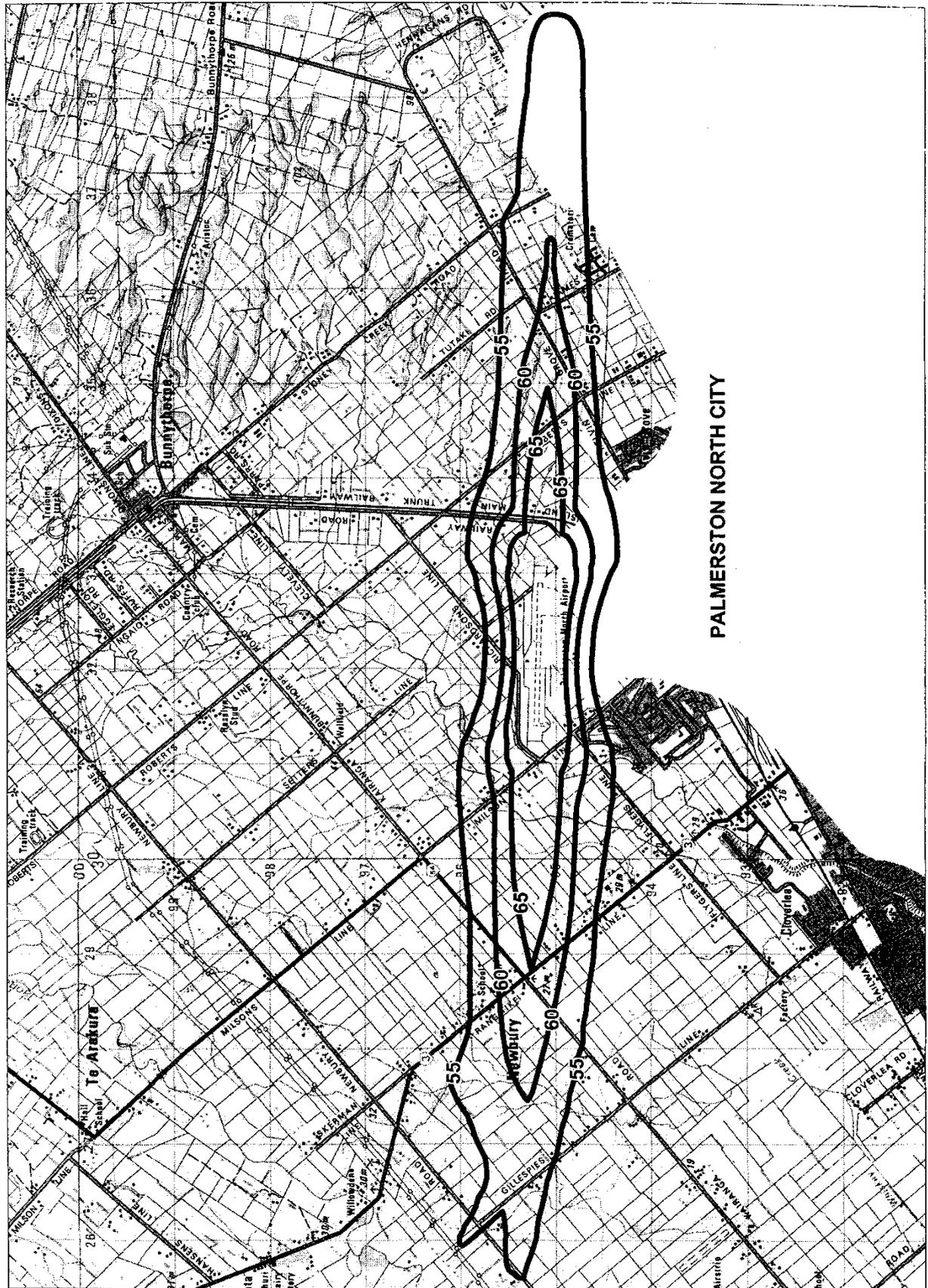
District Plan Methods

- Noise Standards contained in Rule B. (Pages 108–150).
- Air noise provisions contained in Rule B and the insulation requirements for buildings in Appendix 3A Schedules P to R. (Pages 204–210).
- Subdivision Rule C2 2.4.1 H), (Page 157).
- Abatement notices and enforcement orders.

Other Methods

- Discussion and negotiation with airfield proprietors.
- Controls on noise from Milson Airport contained in Palmerston North District Plan.

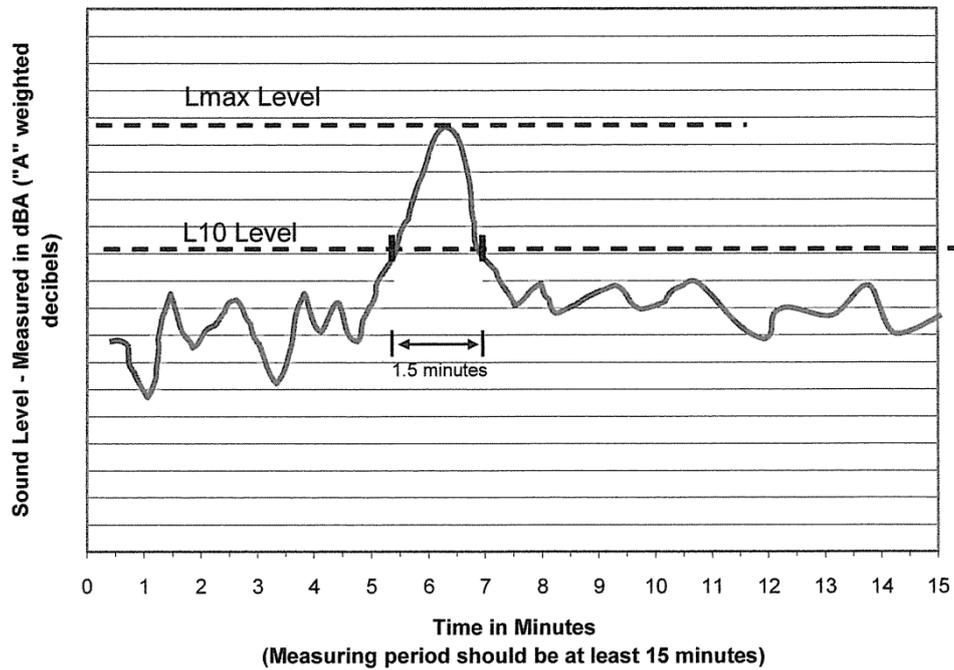
FIG. 2 – MILSON AIRPORT – CALCULATED NOISE CONTOURS (dBA Ldn)



PALMERSTON NORTH CITY

SOURCE: Palmerston North Airport Noise Study - Air Plan Consultants Ltd. (1998 Update)

Fig 3. - Interpreting Noise Standards



NOTES:

- 1) The L_{max} noise level is the highest sound level recorded during the measuring period.
- 2) The L_{10} noise level is the sound level which is reached or exceeded for 10% of the measuring period, e.g. over a 15 minute measuring period, it will be reached or exceeded for 1.5 minutes.
- 3) L_{dn} noise levels are used in this plan in relation to airport noise. They indicate a 24-hour daily sound exposure averaged usually over a three-month period, with 10dB being added to night-time levels to take account of the increased annoyance caused by noise at night. L_{dn} levels cannot therefore be compared with L_{10} and L_{max} levels

Note: This is a greatly simplified attempt to explain some terms used in noise standards. For precise definitions, please refer to NZ Standards 6801:1991, 6802:1991 and 6805:1992.

4.12 HAZARDOUS SUBSTANCES AND CONTAMINATED SITES

Objective

LU 26) *To minimise the risk to people and the environment from the use, transport and storage of hazardous substances and from contaminated sites.*

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

Policies

- a) To ensure that hazardous substance use, transport and storage is sufficiently isolated from incompatible uses such as residential areas, hospitals or natural areas.
- b) To ensure appropriate separation between hazardous installations and property boundaries.
- c) To ensure that appropriate safety features are built into the design of installations which use or store hazardous substances.
- d) To assist in ensuring that hazardous waste is properly disposed of.
- e) To help improve the state of knowledge about contaminated sites in the District, and to notify the Regional Council and other responsible agencies.
- f) To limit future land uses in or around contaminated sites, if necessary to protect human health.
- g) To reduce the risk of sites being contaminated in the future.

Explanation

District and Regional Councils are responsible under the Act for preventing or mitigating “any adverse effects of the storage, use, disposal or transportation of hazardous substances” (Sections 30 and 31). Hazardous substances include those which are explosive, flammable, oxidising, toxic, carcinogenic, radioactive, corrosive or environmentally persistent. There are also “harmless” materials which can sometimes be dangerous (eg dust explosions from sawdust or flour).

The Regional Policy Statement spells out the respective roles of District and Regional Councils for hazardous substances. The Regional Council is responsible for controlling the use of land to prevent or mitigate any adverse effects of the disposal of hazardous substances. It is also responsible for preventing or mitigating the effects of the discharge of such substances to the environment.

District Councils have the task of controlling the use of land to prevent or mitigate any adverse effects of the use, storage and transport of hazardous substances. The main ways of doing this are firstly to ensure adequate buffer distances between the facility and “sensitive” neighbours. These include housing areas, places where people are less mobile, and areas where the environmental consequences of an accident would be especially high, eg estuaries and streams. Secondly the facility itself can be made more accident-proof or be designed to reduce the consequences if an accident does occur. Council may put conditions like this on land use consents for hazardous facilities. This is one means of ensuring that new contaminated sites do not develop.

As operator of a refuse disposal site, Council has some control over which waste is permitted to be dumped there and whether hazardous waste is sent to more suitable disposal facilities. The Feilding site does not have resource consent at present for hazardous material disposal.

An initial overview indicates that a number of sites in the District might be seriously contaminated with various chemicals. The Regional Council has accepted responsibility for investigating specific sites, for assessing the likely effects of contamination and for seeking remediation of those effects.

Council has a particular role in passing on information about contaminated sites to prospective property purchasers and to the public generally, through the LIM process. In a few cases the contamination may be bad enough to warrant Plan controls which prevent land uses such as housing or schools being built on or next to the polluted site. The need for such controls in the future will be assessed on the merits of the particular case.

District Plan Methods

- District Rules and land use consent conditions – Part B.

Other Methods

- Land Information Memoranda for contaminated sites.
- Refuse Disposal Site policies.
- Emergency response role.
- Assisting Regional Council and landowners where appropriate.
- Hazardous Substances and New Organisms Act 1996.

4.13 [DELETED PC55]

4.13 TRAFFIC SAFETY AND EFFICIENCY

Objective

LU 27) To ensure the safe and efficient operation of the roading network within the District. (Issues 5 and 12)

(Refer also: Objectives LU 11, 12, 14, 17, 18, S 7 and EWA 1 -Pages 21, 23, 25, 28, 30, 51 and 77)

Policies

- a) To avoid, remedy or mitigate the effects of development upon the safety of the District's roads, by:
 - i) Avoiding "ribbon development" of townships.
 - ii) Requiring satisfactory sight lines for vehicles at railway crossings, at intersections and at property entrances and exits.
 - iii) Ensuring that vehicle crossings are formed to a safety standard appropriate to the function of the road concerned.
 - iv) Ensuring that signs or glare do not interfere with traffic safety through startling or confusing drivers, by unduly reducing their attention capacity or by causing them to make sudden impulse manoeuvres.
 - v) Preventing vegetation, signs and structures from obscuring official signs.
 - vi) Providing appropriate facilities for pedestrians and cyclists.
 - vii) Ensuring that new vegetation plantings are managed to maintain adequate visibility at road intersections and accesses, and to minimise icing of roads.
- b) To recognise the particular importance of maintaining the safety and efficiency of the District's arterial routes.
- c) To ensure that the adverse effects of vehicle movements to and from arterial routes are avoided, remedied or mitigated by:
 - i) Limiting the number of new vehicle crossings onto arterial routes.
 - ii) Requiring accesses to arterial routes to be built to a standard that is appropriate for their intended use.
 - iii) Ensuring that property accesses are spaced, constructed and used in a manner which does not significantly disrupt traffic flows.

Explanation

The District Plan has a key role in ensuring that new development does not create adverse effects on traffic safety and the roading network. This role includes ensuring adequate visibility at any new vehicle crossing, and preventing buildings and vegetation from being located where there is the potential of obstruction of movement of pedestrians and cyclists. Sufficient room is also needed to ensure that vehicles can get in and out of properties, and through intersections, without unduly interfering with the flow of through-traffic.

The roading hierarchy in Appendix 2B (Pages 247 – 249) classifies the District's roads into the following categories, namely:

Major Arterial Roads — Major Arterial Roads are of strategic importance to the Region. They provide interconnections between areas within the District and distribute traffic from major intercity links.

Access is generally at grade but may be limited. Urban traffic volumes are typically greater than 20,000 vehicles per day and rural 5,000 vehicles per day with a significant number of heavy vehicles. Typical urban operating speeds are 50 to 70 km/h and rural 80 to 100 km/h. Major Arterial Roads are State Highways 54, 56, Milson Line, Saddle Road, Halcombe Road and Camerons Line.

Minor Arterial Roads — Minor Arterial Roads provide access between Collector and Major Arterial Roads. These roads have a dominant through vehicular movement and carry the major public transport routes. Access to property may be restricted and rear servicing facilities may be required. Urban traffic volumes are typically 8,000 to 20,000 vehicles per day and rural from 1,000 to 5,000 vehicles per day with a higher proportion of heavy vehicles. Typical urban operating speeds are 40 to 60 km/h and rural 80 to 100 km/h. Minor Arterial Roads include Rongotea-Longburn Road to the north of Kairanga-Bunnythorpe Road, Green Road and the Cheltenham-Mangaweka routes.

Collector Roads — Collector Roads provide circulation in local areas and links to arterial roads, while balancing these needs with pedestrian and local amenity values. These roads provide access for all modes of transport including public transport. Typical traffic flows are between 3,000 and 10,000 vehicles per day. These include a number of central roads through the town of Feilding, Pohangina Road, Newbury Line and the main roads to the beaches and tourist routes like the Apiti-Rangiwahia route.

Collector Road (Tourist) — Collector Roads (Tourist) are those roads that currently carry traffic volumes below that of a Collector Road, but serve a similar function in that they link areas of population together.

Local Roads — Local Roads provide access and connectivity within a local area. Local Roads in urban areas typically carry up to 3,000 vehicles per day, have low vehicle speeds, have two lanes and provide for on-street parking, property access and pedestrian needs. Local Roads in rural areas typically carry less than 1,000 vehicles per day.

Most of the State Highways running through the District are “Limited Access Roads”. This means that the New Zealand Transport Agency (or Council in the case of the former SH 56) has control over the number and location of new vehicle crossings and over new subdivisions adjoining these roads. A proposal that meets the standards outlined in this Plan will meet the requirements under the Limited Access legislation.

District Plan Methods

- District Rule B, (Pages 108-150).

Other Methods

- Service Delivery (roading and safety improvements including speed limits).
- Roding hierarchy for the District's roads.
- Council's vehicle crossing policy.
- Limited Access controls for State Highways.

4.14 MAORI LAND AND MARAE

Objective

LU 28) *To ensure that Maori land can be used in accordance with Maori cultural preference, as long as any adverse environmental effects are addressed.*

(Issues 2 and 5) (Refer also: Objectives LU 1 and LU 4 -Page 12).

Policies

- a) To recognise the importance of existing marae, to provide for their further development, and to provide for new marae to be established if appropriate.
- b) To ensure that any adverse effects arising from such development, including effluent disposal and traffic safety problems, are avoided, mitigated or remedied.
- c) To recognise the need for multiple dwellings to be built on areas of Maori land, at an appropriate density for dwellings unconnected to a sewerage scheme.

Explanation

Marae have cultural and spiritual importance to the Tangata Whenua, and most of the existing marae in the District have considerable heritage value. The Plan aims to recognise the importance of marae and to make provision for their development. This may include housing for Kaumatua (elders) and for other whanau members who wish to live on Maori land close to the marae to which they belong. (Whether specific parcels are “Maori land” is clearly defined by the Te Ture Whenua (Maori Land) Act 1993 and by the Maori Land Court.) New marae may also be established if appropriate.

Proposals to build more than one house on partitioned areas of Maori land are provided for. Such blocks may not necessarily be near a marae but may have important ancestral value to the people concerned.

The above types of development are treated as discretionary activities (or controlled in the case of housing) to ensure that relevant impacts of each particular proposal can be considered.

District Plan Methods

- District Plan Methods
- District Rule B, (Pages 108-150).

Other Methods

- Heritage Recognition

4.15 Manfeild Park

Objectives

- LU29) To enable the operation of Manfeild Park as a major multi-purpose event facility, whilst avoiding adverse effects on the surrounding environment.
- LU30) To protect the amenity values of the surrounding environment.
- LU31) To ensure buildings are of a bulk and scale sufficient to provide for a range of activities, while not compromising the amenity and open space character of Manfeild Park.
- LU32) To recognise the historic heritage of Manfeild Park and the importance of the site as a key amenity feature in the District.

Policies

- a) To recognise the multi-purpose nature of activities located within the Manfeild Park Zone.
- b) To manage future growth and development of recreation and event activities and associated facilities in the Manfeild Park Zone.
- c) To avoid, remedy or mitigate the effects of buildings, structures and development on neighbouring areas.
- d) To avoid, remedy or mitigate any adverse environmental effects from community events and activities on neighbouring residential areas.
- e) To enable a wide range of event-related commercial, recreational, cultural, civic and educational activities to establish and operate within the Manfeild Park Zone.
- f) To recognise that the total parking requirements are only required on limited occasions for large events.
- g) To maintain the sense of openness and uninterrupted views at Manfeild Park by protecting key view shafts from South Street, Kawakawa Road, Kowhai Park and Rata Street into Manfeild Park.

Explanation:

Manfeild Park is a multi-purpose event facility hosting a diverse range of community and leisure events. Manfeild Park serves a local, national and international catchment, covering Feilding and the wider Manawatu areas, with economic and social benefits beyond the District. By adopting a flexible approach to development of multi-purpose events, Council and Manfeild Park can manage any development of Manfeild Park and respond to event industry changes in the future.

4.16 Special Development Zone

Objectives

- LU34) To enable ancillary activities to the operation of Manfeild Park as a multi-event facility whilst avoiding adverse effects on the surrounding environment.
- LU35) To ensure buildings within the Special Development Zone are of a bulk and scale sufficient to complement the amenity and open space of the adjoining Manfeild Park.
- LU36) To recognise the historic heritage of Manfeild Park and the importance of the site as a key amenity feature in the District.
- LU37) To ensure business activities are not displaced from the Feilding Central Business District.

Policies

- a) To ensure activities within the Special Development Zone do not adversely affect the operation of Manfeild Park as a multi-event facility.
- b) To avoid, remedy or mitigate the impacts of buildings, structures and development on neighbouring areas.
- c) To ensure the effects of development are mitigated by landscaping and appropriate building form.
- d) To protect the integrity of the Feilding CBD by controlling the types of businesses that can locate in the Special Development Zone.
- e) To maintain the sense of openness and uninterrupted views at Manfeild Park by protecting key view shafts from South Street, Kawakawa Road, Kowhai Park and Rata Street into Manfeild Park.

Explanation:

The Special Development Zone has been created to recognise the importance of the Manfeild Park as a multi-event facility and to enable activities that are ancillary to the operation of Manfeild Park.

4.17 ENVIRONMENTAL RESULTS ANTICIPATED.

- 1 Tangata Whenua are satisfied that Maori land and resources are able to be used in accordance with Maori cultural preference, with any adverse environmental effects being addressed. (Objectives LU 4 and LU 28, Pages 12 and 42).
- 2 Soil compaction, contamination or removal do not have a significant adverse effect upon the life-supporting capacity or versatility of the District's rural soils. (Objective LU 7, Page 14).
- 3 No significant adverse effects from development upon the rural character and amenity of rural areas, or upon the quality of the District's outstanding landscapes. (Objectives LU 8 and LU 9, Pages 17 and 19).
- 4 Levels of complaint from rural residents about rural activities on other properties are low, and do not result in curtailment of those activities. (Objectives LU 10 and LU 11, Page 21).
- 5 Most residents of Residential and Village zones are satisfied with the amenity of their neighbourhood and town as a place to live. (Objectives LU 12 and LU 13, Pages 23 and 25)
- 6 People regard Feilding's Business zone as an attractive place to do business. (Objective LU 16, Page 28).
- 7 No listed heritage buildings or facades in central Feilding are demolished or substantially modified without scrutiny of alternative options through the resource consent process. Any new structures or redevelopment of existing buildings in the town centre fits in with with the historic character of the Heritage Precinct. (Objective LU 16).
- 8 Activities in Business, Industrial and Recreation zones do not have a significant adverse effect upon the environment or upon residents in other zones. (Objectives LU 17, LU 18 and LU 20, Pages 28, 30 and 31)
- 9 Subdivision, land use and development does not have a significant adverse effect upon the natural character or heritage value of the coastal area. (Objective LU 23, Page 32).
- 10 ~~[Deleted PC55] Noise levels within the various zones remain at or below the standards expressed in the Plan. (Objective LU 25, Page 34).~~
- 11 No recurring complaints about noise from water craft, and minimal complaints from residents of sound-insulated dwellings about aircraft noise at Milson Airport. (Objectives LU 22 and LU 25, Pages 32 and 34).
- 12 Hazardous substance use, transport and storage is undertaken with adequate safety features, and no health problems related to contaminated sites are confirmed. (Objective LU 26, Page 39).
- 13 ~~[Deleted PC55] There are no traffic accidents attributable to the design or placement of driveways and intersections installed to serve new land uses approved under this Plan. (Objective LU 27, Page 40)~~
- 14 ~~[Deleted PC55] There are no traffic accidents attributable to glare, to vegetation or structures blocking sight lines, or signage distracting or confusing drivers, in situations where these matters are controlled by this Plan. (Objective LU 27, Page 40).~~
- 15 No arterial route suffers a reduction in the level of service which it can provide, due to ribbon development or a proliferation of driveways along it.

4.18 MONITORING & REVIEW PROCEDURES - MANAGING LAND USE EFFECTS

The procedures to be used will include:

- a) "State of the Environment" reporting, including noise levels in the various zones.

- b) Obtaining feedback from the Marae Consultative Committee on District Plan issues associated with use of Maori land and resources.
- c) Assisting with research into the extent of soil compaction, contamination and removal in the District, including the influence of land use upon these factors.
- d) Monitoring whether land use consents are issued in compliance with the rules in the Plan, and whether the terms of consent are being complied with.
- e) Liaising with the Regional Council in assessing any degradation to land and water resources as a result of activities provided for in the Plan.
- f) Undertaking “snapshot” rural landscape and character assessments, including of the identified outstanding landscapes, when the Plan is made operative, and again prior to the review of the Plan.
- g) Recording levels of complaint from people about activities on other properties and in other zones, including about air noise and water craft, and instances where rural activities are curtailed or prevented from establishing by pressure from people living on rural-residential properties.
- h) Surveying local people to determine whether their desired levels of amenity are being met, and whether they find Feilding’s Business zone an attractive place to do business.
- i) Reporting on a three-yearly cycle, on listed buildings in the Feilding town centre which have been destroyed or substantially modified, whether with resource consent or not.
- j) Independent audit by a conservation architect on new buildings constructed in central Feilding, for compatibility with the historic character of the Heritage Precinct.
- k) Reporting on levels of compliance with safety regulations relating to hazardous substance use, transport and storage, including major accidents and any health problems related to contaminated sites.
- l) Comparing traffic accident records with the database of land use consents, and also reporting on instances where glare, lack of sight lines or signage was attributed as being a factor in causing an accident.
- m) Reporting on levels of service provided by arterial routes in the District.
- n) Assessing how effective land use consent conditions and other methods have been in avoiding or mitigating the adverse effects of land use activities, and changing these methods if necessary.

5 SUBDIVISION

5.1 BACKGROUND

One of Council's functions under the Act is control of subdivision. The purpose of this is to limit any adverse effects of subdivision on the environment and to sustainably manage resources, particularly the land and soil resources.

The definition of subdivision includes cross-leases, company leases and unit titles. This means that such subdivisions are subject to exactly the same rules and potential consent conditions as "ordinary" fee simple subdivisions. Any leases of parts of a block of land for longer than 20 years also qualify as subdivisions. Partitions of Maori land do not however need subdivision consent if the new land parcels are to be held by members of the same hapu.

5.2 EFFECTS OF SUBDIVISION

Subdivision is regarded as an "activity" under the Act, much the same as land use activities like building a factory. Subdivision only permits a new allotment to be held in separate permanent ownership as opposed to short-term rent or lease. There are relatively few direct effects which arise from separate ownership. Examples include the need for new separate accesses to the road and separate utility services.

The indirect effects of subdivision can however be important. The new owner will usually (but not always) expect to build a dwelling or buildings on the new section. These new buildings will have their own effects upon the landscape, upon neighbours and upon effluent disposal in the locality. Subdivision of residential sections is the first step in urban growth, and the effects of that growth must therefore be taken into account at the subdivision stage. This plan will therefore require the effects of future dwellings on the new lots to be considered when a subdivision is applied for. Similarly Council will need to be satisfied that Industrial or Business zone allotments can be reasonably used for permitted activities.

The cumulative effects of subdivision must also be taken into account. Subdivision of one residential allotment along a main traffic route would have little impact, but ribbon development of several sections and vehicle crossings may well be of concern.

Subdivision policies affect land values. If there is a shortage of particular types of blocks, inflated prices may result. A property's potential for subdivision may also raise its value (and rates) thereby influencing the owner to subdivide it. One way to minimise value anomalies is to give all landowners an equal opportunity to subdivide. This is not possible, however, if the Plan is to meet the Act's aims. Varying opportunities will for example result from this Plan's policy of treating subdivision of versatile land differently to other land.

Subdivision can sometimes have significant benefits. As much individual freedom as possible should be permitted, within the Act's duties to manage adverse effects and to consider sustainability of the land resource. The potential adverse impacts are addressed by the objectives below.

5.3 SUBDIVISION OBJECTIVES AND POLICIES

5.3.1 IMPACT UPON RURAL SOILS

Objective

S 1) To protect the life-supporting capacity of the District's rural soils, particularly the versatile land, and to maintain the opportunity for them to be used for a wide range of options in the future.

(Issue 7) (Refer also: Objective LU 7 –Page 14).

Policies

- a) To ensure that the life-supporting capacity of the District's rural soils, and future options for the use of that soil, are not compromised by the effects of subdivision and subsequent development, including soil compaction, contamination and removal, and fragmentation of ownership.
- b) To minimise the amount of versatile land which is converted to urban use. (Refer also: Policy 5.3.8 a), Page 53).

Explanation

It is important to keep open a wide range of options for the future use of land, so that it can continue to meet the reasonably foreseeable needs of future generations and can be sustainably managed to preserve its life-supporting capacity in terms of the Act. Subdivision can compromise the potential land use options by fragmenting ownership. It may cause blocks to become too small for certain types of rural activity. It may then be difficult to collect them together again for production, particularly if the land has become over-capitalised with buildings. Farmers' price for land is related to potential farm income, but rural-residential users' price is influenced more by off-farm income. Below a certain size, blocks may become too small for practical rural use at all.

This Plan uses an average lot size philosophy. It does not prevent the creation of small blocks within the rural zone, but effectively requires that people creating a small lot must also create a larger one to achieve the average. There is also a requirement that at least 50% (or at least 20 hectares, whichever is smaller) of the block being subdivided be left in one piece. This aims to discourage subdivision into uniform blocks all at the average size. These controls will help to retain an overall subdivision pattern within the District which allows a wide range of land uses to be able to secure land holdings appropriate to their needs.

Retaining options for use of the District's "versatile land" (ie Class I and II soils apart from Class IIs2) is particularly vital. An explanation of the land use capability classes and why versatile land is a special resource can be found in the explanation to Objective LU7. (Page 15). It is in very limited supply and is under the greatest demand for small-lot subdivision, especially near Feilding and Palmerston North. If widespread fragmentation into uniform small lots was permitted it would not take long for subdivision to make significant inroads into the supply of versatile land and of larger blocks in these locations. The Plan's Rural 1 zone identifies the District's main areas of versatile land, and recognises the potential effects on its productive options by requiring an 8ha minimum average lot size in that zone.

The average lot size for the Rural 2 zone (less-versatile land) has been set at 4ha. This is because the finite demand for small rural blocks is unlikely ever to have a major impact on the availability of the District's large areas of non-elite soils for productive uses. The subdivision controls for these areas are therefore primarily based instead on landscape and rural character considerations. (Refer: Objective S 3, Page 48).

Freeing up rural-residential subdivision of non-versatile land close to Palmerston North and Feilding may bring overall small-block prices down. This would allow productive users to compete for high quality land on a more equal basis.

Policy b) above notes that the Plan requires that land quality be taken into account in decisions to zone extra land for urban expansion. This is because any high quality land which is put under urban development is irretrievably lost.

District Plan Methods

- District Rule C2 2.4. (Page 154).
- Decisions on applications for new Residential or Village zoning around townships.

Other Methods

- Facilitating advice to land users and purchasers about soil capability, ie helping to "match up" versatile soils with the people who need them or who will use them.

5.3.2 RURAL SEPARATION DISTANCES

Objective

S 2) *To have rural allotments which allow satisfactory separation between dwellings and neighbouring activities.*

(Issue 5) (Refer also: Objectives LU 10 and LU 11 –Page 21).

Policies

- a) To establish separation distances which are sufficient to mitigate any adverse environmental effects of rural and domestic activities and rural industries (such as noise, dust or odour nuisances) upon nearby residential activities.
- b) To seek a realistic level of amenity for rural residents, given the potential for adverse environmental effects from the types of activities that are found in the zone. (Refer: Parts 4.3.2 and 4.3.4, Pages 17 and 21).

Explanation

People generally expect to build a dwelling on new titles. Subdivisions will also sometimes change the legal boundaries around existing houses. There is potential for activities next door to adversely affect occupants of the dwelling if those activities are not adequately separated. New dwellings, without sufficient separation, can also have an impact upon rural activities by creating a pressure for those activities to be curtailed.

Seeking to promote a level of amenity for rural residents is in line with the matters of importance in the Act. It is related to the rural landscape and effluent disposal objectives (S3 and S6) and would also assist full productive use of rural land to occur without conflicting with neighbours. Many rural residents expect the countryside to be an idyllic place, and having adequate separation can help. These residents should however realise that some noise, odour, dust etc is inevitably associated with normal agricultural production and will have to be "put up with." Bearing this in mind, the minimum lot size in the Rural

zones has been set at 0.8ha. (The Plan's rules do however allow possible development of rural house allotments down to 4000 m² in size in specified locations -Refer Policy 5.3.3 b), Page 48.

If farmers are subdividing off a surplus house, they often wish to lose as little productive land as possible and may want the new house lot to be much smaller than this minimum. Requiring a 0.8ha allotment is however fully justified due to the improvement in residential amenity which usually results from the extra separation which a larger lot can provide.

District Plan Methods

- District Rule C2 2.4 (Page 154).

5.3.3 LANDSCAPE APPEARANCE AND CHARACTER

Objective

S 3) *To maintain a distinct difference in landscape appearance and character between urban and rural areas.*

(Issue 7). (Refer also: Objectives LU 8, LU 12 and LU 14 –Pages 17, 23 and 25).

Policies

- To ensure that any adverse effects of rural subdivision upon the existing character and amenities of the Rural zones are avoided, remedied or mitigated.
- To enable some small-lot subdivision (ie down to around 4000 m² in area), in identified rural and peri-urban localities which already have the character of a settlement and where such subdivision would be compatible with the amenities of the area.

Explanation

The elements which contribute to rural and urban “character” are set out in Objectives LU 8, LU 12 and LU 14. It is important to maintain a different landscape appearance between “town and country” for aesthetic and environmental reasons. This is in line with the Act's statements about maintaining and enhancing the quality of the environment and amenity values. These qualities are highly valued by many rural residents and contribute to New Zealand's “clean green” image for visitors. Having said this, though, rural areas are primarily places for production from the land rather than scenic reserves for townspeople.

Subdivision patterns have an important influence on housing densities, and allowing large numbers of small lots to be created in a rural locality can jeopardise its rural character. Effects on the landscape must therefore be considered at the subdivision stage.

The average density of dwellings influences the “ruralness” of a locality rather than minimum lot size. For example an area of large farms interspersed with quarter-acre house sites can still appear very rural. This Plan therefore uses rural subdivision controls based on an average lot size to help achieve policy a). The average lot size of 4ha chosen for the Rural 2 zone represents the density beyond which Council's analysis shows that rural character begins to be lost. The 8ha average used for the Rural 1 zone has been selected for reasons other than rural character, (Refer Objective S1, Page 46), but also represents a density at which rural amenities will not be adversely affected by housing.

Both Rural zones have special controls on the ribbon development of housing along rural roads, to help maintain the rural appearance of these areas. New allotments created will have to meet these requirements, as well as the yard controls applied to give adequate setback for rural residents from roads and each other. The latter aims to achieve a rural ambience for the occupants of rural houses.

Elements of urban character already exist around some rural focal points and around the edge of certain townships, where the need to retain “ruralness” is less important. These rural focal points are Colyton, Hiwinui, Taikorea, Glen Oroua, Rangiwahia, Utuwai, Waituna West and Pohangina. The townships concerned are Apati, Feilding, Rongotea, Bunnythorpe, Cheltenham, Sanson, Kimbolton, and Halcombe. Council will consider small-lot subdivision (ie minimum lot size of around 4000 m²) in these localities as a discretionary activity. What is appropriate for these places, however, is a low-density rural settlement rather than a fully-fledged township.

District Plan Methods

- Land use controls, and subdivision controls based on average lot size (Rule C2 2.4).

Other Methods

- Possible tree planting programmes and beautification of appropriate rural areas.

5.3.4 WATER SUPPLY, STORMWATER & FARM DRAINAGE

Objective

S 4) To avoid the potential effects of unserviced subdivision upon the District's residents by ensuring that water supply, stormwater disposal and farm drainage needs are taken into account.

(Issue 5) (Refer also: Objectives FC 1 and EWA 3 –Pages 66 and 77).

Policies

- a) To require available water and stormwater connections for new residential allotments to be paid for as a condition of subdivision approval.
- b) To require rural subdividers to demonstrate:
 - i) What provision if any has been made for farm drainage for new allotments.
 - ii) That provision has been made for water supply to new allotments.
- c) To preserve legal access for drainage from new allotments where appropriate, as well as practical access for drain clearance. (Refer also: Policy 6.2(l), Page 60).
- d) To advise subdividers in rural water supply scheme areas that access to water will be at the discretion of the supply authority.
- e) To advise rural water supply authorities about subdivision proposals in their areas.
- f) To require appropriate stormwater disposal if a subdivision is for an activity which would involve large areas of impervious surfaces.

Explanation

An effect of subdivision is that new lots usually need their own separate access to water supplies, farm drainage and stormwater disposal. If left unserviced, or without an appropriate level of servicing, the development that occurs after subdivision can have an impact on the health, safety and wellbeing of the District's residents. Potential problems include surface ponding, an inability to properly drain farmland, more rapid or uncontrolled stormwater runoff, and lack of proper access to drinking or stock water. Action at the subdivision stage can avoid these problems by for example creating appropriate easements so that new lots have legal access to public drains.

People often expect to be buying ready-serviced sections if located in a water supply scheme area. These schemes however have vastly different levels of independence, financial structures, policies and bylaws. The only feasible uniform approach is to refer subdivision applications to the appropriate supply authority for their action.

District Plan Methods

- Plan rules on farm drainage, water supply and stormwater disposal (Rules C2 2.4.1 and 2.5 D), Pages 154 and 158).
- Information requirements for subdivision applications (Rule A1 1.2, Page 87).

Other Methods

- Liaison with rural water supply authorities.

5.3.5 DOMESTIC EFFLUENT DISPOSAL

Objective

S 5) To ensure that domestic effluent from new allotments can be adequately disposed of without creating water quality or odour and health problems.

(Issue 5) (Refer also: Objective EWA 3 –Page 77).

Policies

- a) To ensure that all new allotments in sewerred areas are connected to the sewerage system.
- b) To require that all effluent in unsewerred areas be satisfactorily disposed of within the allotment concerned, or via an approved communal effluent disposal system.
- c) To require that any proposed communal disposal includes permanent arrangements for future maintenance, operation and replacement of that system.

Explanation

The new dwelling which is expected after subdivision will need to dispose of domestic effluent. If disposal is not properly catered for, adverse effects on water quality may result. The effects of unsewerred disposal can be cumulative, only being visible when a certain “threshold” density is reached.

It is preferable to address the potential effects at the subdivision stage rather than leaving it until a building consent is applied for. The subdivision stage is the best time to have new sewer mains and connections installed, eg when new streets are being constructed. People in sewerred townships expect their newly-purchased section to be serviced already.

Secondly, if a communal treatment scheme is the most practical method for a particular subdivision, it is difficult to get one built once the lots have been sold and a number of different owners are involved. If a group treatment scheme fails, there can be serious problems if possible backups, (eg sufficient land for soakage) were not considered at the subdivision stage.

Thirdly, the last people to build in an unsewerred subdivision may have to use much more expensive disposal methods if water quality is starting to be degraded by previous houses.

Effluent must be disposed of within the allotment concerned, unless a communal system is proposed or a town sewer is available. Council will not accept easements over adjoining properties to be used for effluent disposal. Existing systems may be required to be re-laid to fit within the allotment, and new systems will have to be contained within it.

District Plan Methods

- District Rules C2 and D1 1.5. (Pages 153 and 163).

Other Methods

- Advice to the public and drainlayers about disposal systems and legal requirements.

- Investigating alternatives to the standard septic tank-effluent bed systems and setting up demonstration systems where appropriate.

5.3.6 NATURAL HAZARDS

Objective

S 6) To ensure that the potential risk to future buildings from natural hazards is considered for each new allotment.

(ISSUE 8) (Refer also: Objectives NH 1 and NH 2 -Page 72).

Policy

- To require that each proposed allotment has at least one building site (including effluent disposal area and suitable vehicular access) which is not prone to natural hazards, unless Council is satisfied that no dwelling will be required on the allotment.

Explanation

Council has a duty under the Act to mitigate natural hazards and limit construction of buildings (particularly dwellings) on land liable to flooding or instability. Section 106 of the Act states that:

“A consent authority shall not grant a subdivision consent if it considers that either -

- Any land in respect of which consent is sought, or any structure on that land, is or is likely to be subject to material damage by erosion, falling debris, subsidence, slippage, or inundation from any source; or*
- Any subsequent use that is likely to be made of the land is likely to accelerate, worsen, or result in material damage to that land, other land, or structure by erosion, falling debris.....*

unless the consent authority is satisfied that the (above) effects will be avoided, remedied or mitigated by.....rules in the District Plan, conditions of resource consent.....or other matters including works.”

For example, subdivision may be permitted under this Section if Plan rules prevent building, or if stopbanking is proposed.

Any potential building site must include space for the facilities which support a dwelling, particularly effluent disposal systems and water supply tanks in the rural situation. These facilities can be just as adversely affected by events like land slippage or flooding. If people need to escape during or after a hazard event it is also important that their access routes are not blocked by hazards. (Refer Objective NH 2, Page 72).

If natural hazards are addressed under the Plan at the subdivision stage, it is easier for purchasers, vendors and Council to know the limitations and possibilities of a particular block. We must avoid situations where people buy land in the mistaken belief that it can be built on.

The plan does however take into account that a building site is not always important. One example is where a farm runoff property will be used in conjunction with other land and no new dwelling is needed.

District Plan Methods

- District Rule C2. (Page 153).
- Using consent notices on titles to alert buyers to the presence of a hazard.

Other Methods

- Provision of hazard information through LIM procedures and other avenues, in conjunction with the Regional Council.
- Persuading people not to proceed with problem subdivisions, or to modify them to take hazards into account.

5.3.7 TRAFFIC SAFETY & EFFICIENCY

Objective

S 7) To ensure that new driveways or roads resulting from subdivision do not unduly detract from traffic safety and efficiency. (Issues 5 and 13). (Refer also: Objectives LU 27 and S 8 –Pages 40 and 53).

Policies

- a) To ensure that all new allotments have an available entrance point with satisfactory visibility.
- b) To implement controls which meet the need to maintain the safety and efficiency of arterial traffic routes, including the use of shared entranceways wherever possible.
- c) To ensure that vehicle crossings resulting from subdivisions are combined wherever possible.
- d) To require formation of joint driveways and entranceways to certain standards at the subdivision stage.
- e) To require other entranceways to be formed at the building consent stage.
- f) To ensure that legal streets are created instead of rights-of-way if warranted by the potential traffic.
- g) To discourage ribbon development along arterial routes.

Explanation

Traffic safety and efficiency is directly related to the purposes of the Resource Management Act (1991), which requires the management of natural and physical resources in a way that enables people and communities to provide for their health and safety.

Subdivision of land often results in the creation of additional access points into the roading network which results in an increase of traffic. To manage this, the Plan implements the following traffic safety and efficiency standards:

- Minimum sight distances from vehicle crossings, intersections and railway crossings.
- Minimum spacings between vehicle crossings, and between intersections, on arterial roads.
- Physical formation of vehicle crossings and rights-of-way, depending on their likely level of use.

District Plan Methods

- District Rules C2 2.1.1, 2.2.1 and 2.4.1 I), Pages 153 and 157.
- Subdivision consent conditions, including consent notices and segregation strips
- Land use consent conditions, including combining vehicle crossings.

Other Methods

- Construction of side roads to service subdivisions.
- Road works to improve traffic safety and flow if justified in terms of cost/benefits and the District's overall roading priorities.
- Local Government Act provisions allowing vehicle crossings to be required when a building consent is applied for.
- Limited Access Road controls administered by Transit New Zealand for State Highways and by Council for the former State Highway 56.

5.3.8 URBAN GROWTH

Objective

S 8)

To provide for urban growth that adjoins existing urban areas and manage that growth to avoid, remedy or mitigate adverse effects through the design of safe, integrated infrastructure networks and the efficient use and development of land.

(Issues 5 and 9) (Refer also: Objectives LU 7, LU 27, S 1, NH 1, NH 2 and U 1 -Pages 14, 40, 46, 72 and 81).

Policies

- a) Ensuring that any proposal for extension of the Residential or Village zoning of the District's existing townships takes into account:
 - i) Any increased risk to people and property from natural hazards, including the possibility of sea level rise in the case of Himatangi Beach and Tangimoana.
 - ii) The potential impact of urban growth on the natural character, qualities and features of the coastal environment.
 - iii) Any significant and permanent adverse impact upon the life-supporting capacity of the District's soil resource, or upon options for its future use, which would arise from converting the land concerned to urban use.
 - iv) The need for new growth areas around existing townships to be provided with utility services, at the developers expense, so that water supply and effluent and stormwater disposal issues and energy networks are addressed. (Refer Also: Part 7.3, Page 67)
 - v) The efficient use and development of natural and physical resources, such as land, energy and the transport network, including the degree to which infill development is possible in the existing Residential or Village zone.
 - vi) The neighbourhood amenities and level of access to facilities which are likely to be available to residents in the new urban growth areas.
 - vii) The need to avoid ribbon development along arterial routes for traffic safety and efficiency reasons.
 - viii) Any significant adverse impacts upon the rural area, including its character and amenity, any significant habitats of indigenous fauna, and its intrinsic, ecological, or heritage values or cultural significance.
 - ix) The presence of any existing land uses which may not be compatible with a new residential neighbourhood.
- b) Identifying land suitable for new urban development, and where existing infrastructure requires upgrading to provide for new urban development, defer and stage this development until the required upgrading of infrastructure has occurred.
- c) Providing for subdivision and development in the Growth Precincts in Feilding in accordance with Structure Plans and the Subdivision Design Guide to achieve the following outcomes:
 - i. development is well integrated and coordinated;

- ii. development recognises and responds to the topographical and physical features of the land;
 - iii. short and anticipated long term growth demands are met;
 - iv. good connections are made with existing infrastructure and transportation networks, taking account of the capacity limitations of these networks and any potential requirements for upgrading capacity to meet future demands;
 - v. certainty is provided on the location and pattern of development, including key roading linkages and infrastructure to meet future requirements;
 - vi. a range of residential densities are provided, including larger lots which can be intensified in the longer term;
 - vii. a logical roading network delivers strategic Collector Roads between existing and future urban areas and a street network of Local Roads that provide accessible residential areas;
 - viii. efficient utility services are provided including reticulated waste water, water supply, stormwater networks and energy networks, that are in accordance with identified growth demands;
 - ix. neighbourhood focal points (such as local parks, shops or community facilities) provide meeting points and centres for individual neighbourhoods within a precinct;
 - x. open space networks that comprise stormwater attenuation networks, a range of recreation opportunities, stream side esplanade reserves, and where appropriate, environmental protection corridors;
 - xi. areas identified as high risk for flooding and potential seismic hazards are avoided; and
 - xii. subdivision and development is designed and located to avoid adverse effects on, and from, the operation, access, maintenance or upgrade of the National Grid.
- d) Preventing urban greenfield development in the rural environment outside of the identified Growth Precincts around Feilding, and subdivision and development not in accordance with the desired outcomes of the Structure Plans.

Explanation

Objective S8 recognises new urban growth areas for Feilding and the provision for urban growth in other villages in the district. Residential and industrial growth projections signal a continuation of demand across the district, with a concentration in Feilding. To provide for additional housing and industrial demand across the district, two approaches to growth are set out in the above policies.

Firstly, Policy (a) sets a criteria-based approach for determining areas for urban growth in Manawatu towns (apart from Feilding) and villages. This criteria approach is applied where no urban growth areas have been identified, and enables broad and specific considerations to be used in assessing private plan changes to rezone land to Residential or Village Zone.

Secondly, Policies (b) through to (e) provide a more directive approach for managing urban growth in Feilding to meet the anticipated demand.

Criteria approach

For the first approach, Policy (a)(i) relates to natural hazards, as a constraint to extending many of the towns and villages. For instance, flooding occurs to the north of Sanson and to the south of Bunnythorpe. Tangimoana relies on stopbank protection from the Rangitikei River. Any growth in Himatangi Beach should not be toward the south, which would entail moving sand dunes. Apart from the ecological effects of removing those dunes, constructing streets and sections afterwards would pose severe sand stabilisation problems. The possibility of sea level rise also needs to be taken into account for the beach settlements. It would have a significant effect on ground water table levels and on drainage ability, which is already limited in Tangimoana.

Urban growth can have adverse effects on the landscape (Policy (a)(ii) and can impinge on areas which have heritage value, including significant habitats of indigenous fauna. Council is not aware of any potential problems of this nature, apart from potential impact on coastal values at Himatangi Beach and Tangimoana and the impact on rural amenities which results from converting farmland to urban use (Policy (a)(viii)).

The effects of urban expansion upon versatile soils also need to be considered (Policy (a)(iii)). Such land is a valuable and relatively limited resource, and its future options for use need to be safeguarded whenever possible. Subject to all other factors being equal, developing less versatile soils is preferable to highly versatile soils.

Policy (a)(iv) refers to the provision of utility services (water supply, effluent and stormwater disposal). It is essential that any extensions to townships with sewers are also provided with utility services. Whether connection to the town system or a completely new system is proposed, an agreement will need to be reached between Council and the developer about the costs of extending and connecting to utility services. (Refer: Part 7.3, Page 67).

Policy (a)(v) recognises that land use, energy consumption and provision of transport are interrelated. Minimising transport and energy costs in connection with urban growth areas, (eg the cost of residents travelling to and from the town centre), needs to be taken into account in considering any growth areas.

Policy (a)(vi) acknowledges the importance of access to amenities in new growth areas. An extension of an existing urban area, where amenities are already provided, will enable new growth areas to more quickly become part of a functional neighbourhood. A situation of isolated residential streets separated from the rest of the town must be avoided.

Directive Approach

Policy (b) relates to the urban growth of Feilding only and applies a more directive approach than Policy (a). Council has identified specific areas around the periphery of the existing urban area for future residential and industrial development. These growth areas were identified based on a multiple-criteria analysis of areas suitable/unsuitable for urban development as well as community consultation. Any proposed extension to the boundaries of the growth areas would require careful consideration of environmental and community standards and the necessity for, and appropriateness of extending public services.

To address these urban growth issues, Council has prepared Structure Plans for the growth areas (called Precincts). The Structure Plans are based on a series of investigations and illustrate an urban form and structure that responds to individual localities and includes the provision of infrastructure (particularly stormwater), road networks, open space networks,

density and site layout. A range of residential lifestyles and industrial properties are to be provided in order to accommodate growth now and in the future.

Within the existing urban areas, capacity exists for intensification of housing through the redevelopment of existing properties. This intensification may be in the form of single houses on existing properties or multiple houses on larger properties.

Council should always look at the capacity for growth within the existing urban boundary. Infill development is an efficient use of resources. (Refer: Objective S9 d), Page 55). Kimbolton and Halcombe have a relatively low density and have the potential to cater for significant development by way of infill. Considerable potential for infill also still exists in Feilding.

District Plan Methods

- District Plan Rules C2 and D1 1.5 (Pages 153 and 163).
- Structure Plan Growth Precincts 1-3 and Subdivision Design Guide
- Deferred Residential zoning where infrastructure provision is not currently available.
- Considering applications for Plan Changes to extend urban zoning.

Other Methods

- Policies on new connections to Council services.

5.3.9 URBAN NEIGHBOURHOODS

<p>Objective</p> <p>S 9) To develop useful, attractive and sustainable urban neighbourhoods where:</p> <p>(a) <i>A range of lot sizes and housing types can be developed, in accordance with the existing character and context of each area.</i></p> <p>(b) <i>People have maximum accessibility to each other using vehicular and non-vehicular (pedestrian and cycling) transport networks to neighbourhood centres and reserves which provide for their needs.</i></p> <p>(c) <i>Public health and safety is promoted through good design of local streets, neighbourhood centres and reserves to ensure easy access and connectivity..</i></p> <p>(d) <i>Development is not achieved at the expense of significant adverse effects on rural character that is the backdrop to the Feilding township, the National Grid, natural topography, open space and gully systems.</i></p> <p>(e) <i>New urban areas establish an identity that is based on positive elements of Feilding's established urban character and amenity, and recognise and maintain the ecological, cultural and historic heritage values of the site and surrounding area.</i></p> <p>(f) <i>Urban land is developed and used effectively ensuring larger residential lots retain the potential for planned and well designed intensification.</i></p> <p>(g) <i>Utility services are strategically developed to ensure a sustainable, efficient and cost effective network is built to meet the needs of current and future development.</i></p> <p>(h) <i>Public safety is maintained through good subdivision design that avoids or mitigates identified natural hazards.</i></p> <p>Issues 3, 4, 9 and 13)</p> <p><i>(Refer also: Objectives HV1, LU 7, LU 12, EWA 1 and U 1, Pages 7, 14, 23, 77 and 81).</i></p>
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Policies

- a) Requiring subdivision designs and layouts which provide for the following:
- i) New development that is integrated with the existing environment by:
- Recognising the character and amenity values of any surrounding residential, rural and industrial areas.
 - Defining the urban boundary and avoiding, remedying and mitigating adverse reverse sensitivity effects on adjoining Rural Zone properties through buffer areas.
 - Identifying natural features, open space (local purpose reserves, esplanade reserves, environmental protection areas) and land too steep for development and integrating development around these areas.
 - Residential densities that reflect a range of residential opportunities, and are positioned so there is a logical extension from existing urban areas, as well as responding to the topography and physical features of the site.

- Designs which foster neighbourhood identity, using positive characteristics from established urban areas and also reflecting the cultural, heritage and natural values of the site and surrounding area.
 - Identifying nationally and regionally significant infrastructure and avoiding adverse effects on and from that infrastructure.
- ii) Flood hazard and potential seismic hazard areas are identified and the subdivision is managed so that areas of high risk are avoided, and all residual risk is mitigated through design of the subdivision and future development.
 - iii) Effective roading connections between existing, new and future development, to maximise accessibility between different urban areas.
 - iv) A network of local streets for each urban area which allows convenient vehicle access to individual properties, to local shops, reserves and coordinates with the Collector Roads to move traffic between the housing areas and town centre.
 - v) Road design reflects the function and use of the road type, including provision for vehicular and non-vehicular (pedestrian and cycling) transport modes and provides an appropriate level of amenity.
 - vi) Through roads and streets are required rather than the use of cul-de-sacs, in order to maintain a high level of accessibility in the local street network, while recognising some topographical features may lead to the use of cul-de-sacs or accessways.
 - vii) Block layouts that ensure individual lots have road frontage, where larger residential lots have sufficient width of frontage to ensure future intensification can occur and future lots will continue to have road frontage.
 - viii) Lots are positioned to allow efficient resource use, where the access to heat and energy from solar energy is maximised, on-site stormwater collection, attenuation and discharge is provided, including, room for water tanks.
 - ix) Access to open space and recreation areas is provided in a way that is strategically connected to adjoining urban areas.
 - x) Pedestrian and cycle access is provided as a network of on-road and off-road cycle and walk ways which contribute to the amenity and connectivity within the wider urban area.
 - xi) Ensure each neighbourhood has a focal point that provides a place for community facilities local reserves and local shops.
- b) Encouraging infill subdivisions, within servicing constraints, with reference to suitability of the contour of the land, and where the shape and size of the subject lot enables good quality living environments to result as described in the Subdivision Design Guide.
 - c) For subdivisions in any of the Structure Plan Growth Precincts, to require subdivision designs and layouts which implement the relevant Structure Plan, the

roading hierarchy and road type in Appendix **3B.1 2B** and incorporate the guiding principles of the Subdivision Design Guide (Appendix 10).

Explanation

Subdivision design and the physical works undertaken at subdivision time have a large and permanent effect upon the form and character of an urban area. Street patterns, reserve locations, shop sites, walkways, road widths and surfaces, land contour and retention of trees are decided at the subdivision stage. Structure Plan Growth Precincts are spatially planned in individual Structure Plans. The Structure Plans provide a spatial plan comprising the density expectations, transport links, open space areas and neighbourhood focal points. The transport links include the indicative location of Collector Roads and main Local Roads to ensure connectivity throughout a Precinct, and to its surrounds.

The Subdivision Design Guide provides more guidance on developing the subdivisions to meet the urban neighbourhood expectations set out in Objective S9 and the principles set out in the Feilding Framework Plan.

Objective S9 is also relevant for greenfield subdivision and development outside the Feilding township.

The influence of urban design to achieve more efficient connected neighbourhoods will result in urban places with more cost effective and greater range of movement options for people – this will also increase social interactions and an overall benefit to the welfare of current and future generations.

Infill subdivision can make better use of existing urban land, streets and utility services. It can also reduce the need to lay new piping and for farmland to be converted to urban use. Under the Act a liberal attitude must be taken toward infill, as long as potential adverse effects are avoided. Council goes further and aims to actively promote infill. In many places though, the slope of the land, or the limited capacity of utility services, will limit the number of new lots which can be created.

District Plan Methods

- “Concept plan” requirements to show future stages of “greenfields” developments. (Rule C2 2.5 B), Page 158).
- Development and implementation of Structure Plan Growth Precincts 1-3.
- Subdivision Design Guide to assist applicants, Council officers and decision makers design and assess proposals for greenfield subdivision.

Other Methods

- Subdivision layout plans being developed when new areas are zoned for urban purposes, and used as a guideline for later development.
- Council meeting some of the costs involved in design features which have a clear public benefit, eg pedestrian accessways.
- Possible direct Council involvement in developing infill sections.

5.3.10 URBAN ALLOTMENTS**Objective**

S 10) *To create urban lots that have a size and shape that enables urban use.*

(Issue 5)

Policy

- a) Requiring subdividers to prove that small urban allotments (ie under 500m² in area) have sufficient useable room to be developed under the Plan for a permitted land use, having regard to the building regulations and the Plan's performance standards.
- b) Encouraging flexibility for future intensification of new large residential allotments (ie 2,000m² in area, and greater), so they can be effectively developed in the future to a standard residential density (800m²) and with a good quality of urban environment resulting, including road frontage.

Explanation

When people purchase an allotment, they expect to be able to use it. Council will make sure that new lots are reasonably capable of being used for activities permitted in the zone. It is relevant to consider whether the allotment is suitable for a range of different uses/buildings rather than just the one proposed by the applicant. This does not apply to some subdivisions such as the tiny allotments created for utilities.

The residential growth areas are anticipated to meet the short and long term need for greenfield developments. Larger lots can meet the immediate need for housing and lifestyle choices. However, in the longer-term, these larger lots may need to be repurposed for more intensive uses through further subdivision. Therefore, at the time of original subdivision, the size and shape of lots and the location of buildings on these larger lots is to demonstrate the ability for future intensification/subdivision to meet future needs.

District Plan Methods

- District Rules C2 2.1.1, 2.1.2 and C2 2.3.1, Pages 153 and 154.

Other Methods

- Providing advice for subdividers about District Plan requirements and about re-designing allotments.

5.3.11 FRAGMENTATION OF NATURAL AREAS AND RIVER CHANNELS

Objective

S 11) To avoid adverse effects on the natural values of streams, lakes, wetlands, the coastal area and indigenous forest areas arising from fragmentation of land ownership.

(Issues 3 and 7)

(Refer also: Objectives HV1, HV5, LU 9, EM 4 and EWA 3 –Pages 7, 8, 19, 59 and 77).

Policies

- a) To ensure that the natural values of indigenous forest areas, lakes, the coastal area, and significant wetlands, including significant habitats of indigenous fauna, are not adversely affected by fragmentation of ownership arising from subdivision.
- b) To recognise the potential effect of subdivision of riverside land upon the management and natural values of the waterway concerned.

Explanation

Indigenous forest areas, lakes and wetlands owned by more than one party can be more difficult to manage as one entity. Each landowner may have their own ideas on weed control, drainage, stock access, public use etc. People may decide to fence new boundaries running through bush areas, to the detriment of the bush.

The Plan's rules therefore only permit new boundaries through indigenous forest areas or significant wetlands if those areas are to be protected by a legal covenant. The same requirement applies to subdivisions which would increase the number of parties who own the bed or fringes of a lake. Likewise rural subdivision in the coastal area has been made a discretionary activity so that its impact upon the coastal environment can be assessed.

Policy b) recognises that stream valleys becoming more closely subdivided can lead to pressure from the new owners for the stream to be straightened and stopbanked. Small-block owners are likely to be less receptive to the stream's shifts in direction than a person who owns the whole stream floodplain and "gains and loses" every time the river shifts. Straightening and stopbanking have an adverse impact on the natural character on the waterway and on its ecological value, eg suitability for fish spawning.

Council will monitor the subdivision of areas where such impacts may become a problem, and will introduce specific controls for those areas if warranted.

District Plan Methods

- District Rule C2 2.4.1 J) (Page 158).
- Subdivision consent conditions requiring covenants.

5.4 ENVIRONMENTAL RESULTS ANTICIPATED

- 1 Rural subdivision produces a range of allotment sizes, so that options for the future use of rural land, particularly the versatile land, are not compromised. (Objective S1, Page 46).

- 2 Soil compaction, contamination or removal do not have a significant adverse effect upon the life-supporting capacity of the District's rural soils. (Objective S1, Page 46).
- 3 No more than a minimal amount of versatile land is converted to urban use. (Policy 5.3.1 b), Page 46).
- 4 Most residents of new rural allotments have room for consider that they have adequate amenity and satisfactory separation between their dwellings and neighbouring activities. (Objective S2, Page 47).
- 5 Low levels of complaint from such residents about rural activities. (Objective S2, Page 47)
- 6 No significant adverse effects from subdivision upon the landscape quality or the existing character and amenities of the rural zones. (Objective S3, Page 48).
- 7 All new allotments have adequate provision for water supply, stormwater disposal, domestic effluent disposal and farm drainage needs. (Objectives S4 and S5, Page 49).
- 8 No dwellings constructed on new allotments are damaged or destroyed by land instability or by floods smaller than a 100 year event. (Objective S6, Page 50).
- 9 There are no instances where the size and shape of a newly-subdivided urban allotment is inappropriate for future use. (Objective S10, Page 56).
- 10 There are no traffic accidents attributable to the design or placement of driveways and intersections installed to serve new allotments. (Objective S7, Page 51).
- 11 Himatangi Beach and Tangimoana do not spread any further outward. Infill at Halcombe, Bunnythorpe and Kimbolton occurs rather than the extension of these townships. (Objective S8, Page 53)
- 12 Subdivision design in urban growth areas avoids direct access for new allotments to arterial routes. (Objective S8, Page 53)
- 13 No recorded instances where fragmentation of land ownership arising from subdivision adversely affects the natural values of indigenous forest areas, lakes, streams, the coastal area or significant wetlands. (Objective S11, Page 56)
- 14 Subdivision layouts for new urban neighbourhoods comply with Council's guidelines, and residents of these neighbourhoods are satisfied with the amenities of these areas and their accessibility to the facilities which they need. (Objective S9, Page 55).

5.5 MONITORING AND REVIEW PROCEDURES - SUBDIVISION

The procedures to be used will include:

- a) Monitoring the degree of diversity in allotment sizes which are created as a result of subdivision.
- b) Assisting with research into the extent of soil compaction, contamination and removal in the District, including the influence of subdivision upon these factors.
- c) Reporting on the areal extent of versatile land which is rezoned to Residential, Village or Industrial during the planning period.
- d) Surveying rural-residential dwellers to find out whether they have sufficient separation from neighbours, and recording levels of complaint from such people about rural activities on other properties.
- e) Undertaking "snapshot" rural landscape assessments for the District when the Plan is made operative, and prior to the review of the Plan.
- f) Working with the Regional Council to assess the extent of groundwater contamination from septic tanks in closely-settled rural areas.

- g) Monitoring damage to dwellings during natural hazard events.
- h) Comparing traffic accident records with the database of new subdivisions.
- i) Surveying residents of new urban neighbourhoods, and monitoring the extent to which new urban subdivision proposals are meeting the guidelines for sustainable layouts.
- j) Monitoring damage to indigenous forest areas, lakes, streams, the coastal area and listed wetlands where ownership becomes fragmented by subdivision.
- k) Assessing the effectiveness of subdivision consent procedures in avoiding or mitigating the adverse effects which this Plan seeks to address, and changing these methods if necessary.
- l) Monitoring whether subdivision consents are issued in compliance with the rules in the Plan and whether any ongoing consent conditions are being complied with.

6. ESPLANADE MANAGEMENT

6.1 INTRODUCTION

Access to lakes, rivers and the sea is highly-valued by New Zealanders. The “esplanade” areas along the edge of these water bodies are very important, both for their natural values and for recreation. This is reflected in Section 6 of the Act which requires the District Plan to recognise and provide for:

- 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, and*
- b) *The maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers.*

Management of the land near the water’s edge is sometimes called “riparian management.” The “coastal environment” of the Manawatu District can be thought of as the land within 4km of the ocean, and the “coastal marine area” referred to above is the area below mean high water springs. (Refer: Part 4.10, Page 32).

The reasons for esplanade management (and in particular for having esplanade reserves and strips) are set out in Section 229 of the Act, namely:

- a) *To contribute to the protection of conservation values, by:*
 - i) *Maintaining or enhancing the natural functioning of the adjacent sea, river or lake, or*
 - ii) *Maintaining or enhancing water quality, or*
 - iii) *Maintaining or enhancing aquatic habitats, or*
 - iv) *Protecting the natural values associated with the esplanade reserve or esplanade strip,*
 - v) *Mitigating natural hazards, or*
- b) *To enable public access to or along any sea, river or lake, or*
- c) *To enable public recreational use of the esplanade reserve or esplanade strip and adjacent sea, river or lake, where the use is compatible with conservation values.”*

6.2 OBJECTIVES, POLICIES AND METHODS

Objectives

- EM 1) To maintain and enhance public access to and along the District's coastline and rivers. (Issue 12)** (Refer also: Objectives HV5 and LU 24 –Pages 8 and 32).
- EM 2) To maintain and enhance opportunities for public recreational use of the coastline and rivers. (Issue 12)** (Refer also: Objectives HV5, LU 22 and LU 24 –Pages 8 and 32).
- EM 3) To preserve the natural character of the coast, wetlands, lakes and rivers and their margins. (Issues 3, 6, 11 and 14)** (Refer also: Objectives HV 1, HV 5, LU 9 and LU 23 –Pages 7, 8, 19, and 32).
- EM 4) To protect areas of significant indigenous vegetation, wetlands and aquatic habitats. (Issues 3, 6, 11 and 14)** (Refer also: Objectives HV 1, HV 5 and S11, -Pages 7, 8 and 56).
- EM 5) To promote riparian management practices which improve the quality and natural functions of adjacent water bodies. (Issues 6 and 14)** (Refer also: Objectives LU 1, S 11 and EWA 3 –Pages 12, 56, and 77).
- EM 6) To maintain the efficiency of river control and drainage schemes. (Issue 8)** (Refer also: Objective U 1 -Page 81).

Policies

- a) To be pro-active in establishing new public access, rather than only taking the opportunities which arise when properties are developed or subdivided.
- b) To use esplanade management to protect the significant conservation values and to enhance the water quality of Lake Kaikokopu, Lake Omanuka, Karere Lagoon and Hamilton's Bend Lagoon. Public access to these places will not be sought.
- c) To protect the conservation values of those riparian margins which have a high value due to areas of indigenous vegetation adjoining the water's edge, including the Mangaone West Stream between Te Rakehou Rd and Awahuri Rd.
- d) To seek better public access to the coast and the District's major rivers, namely the Rangitikei, Manawatu, and Oroua Rivers.
- e) To work toward the establishment of walkways along the following stretches of river:
 - i) Mangaone Stream between Bunnythorpe and Palmerston North.
 - ii) Makino Stream - between Reids Line West and Port Street, between Beattie Street and Denbigh Street and between Rata Street and Kitchener Park.
 - iii) Kiwitea Stream between Reids Line West and the Oroua River.
 - iv) Oroua River (right bank) between the Kiwitea Stream confluence and the Feilding Sewage Treatment Plant.
- f) To improve public access for recreation to those parts of the following streams which are relatively close to formed road access or reserves:
 - i) Pohangina River

- ii) Mangoira, Makiekie and Mangahuia Streams
 - iii) Waituna Stream - Rangitikei confluence to Waituna West.
 - iv) Mangawharariki River.
 - v) Kiwitea Stream between Mangamako Road and Reids Line West.
- g) To preserve future opportunities for esplanade reserves or strips to be established along the edge of rivers and lakes.
 - h) To maintain the level of access provided by existing public roads along the water's edge.
 - i) To take public safety, the presence of other legal access, land topography, accessibility, and proximity of dwellings into account when deciding whether to require a particular esplanade reserve or strip for public access.
 - j) To require esplanade management measures (including the creation of esplanade strips) as a condition of land use consent if needed to mitigate a potential adverse effect upon the waterway.
 - k) To compensate subdividers for the loss of land vested as esplanade reserves and for the loss of use of land subject to esplanade strips, irrespective of the size of the allotment concerned.
 - l) To maintain access along the edge of rivers and Drainage Scheme drains for stopbank or drain maintenance.

Explanation

The above objectives aim to recognise and provide for the matters of national importance quoted above. The first two objectives do not mention lakes. This is because the lakes of over 8ha within the District (Pukepuke Lagoon, Kaikokopu, Omanuka, Karere Lagoon and Hamilton's Bend Lagoon) are important bird habitats. Opening up general public access could conflict with their conservation values. Public access could also have a detrimental effect on parts of the coast and on certain rivers and indigenous forest areas which are important wildlife habitats.

The Act provides special scope for new public access points to be secured when a property is subdivided or developed. Progress in establishing riverside walkways would however be extremely slow if Council just waited for the adjoining properties to be subdivided. Some properties may never be subdivided. This means that Council needs to actively negotiate the acquisition of access, especially where one or two links are needed to complete a desired walkway.

Council aims to work toward better public access to the coast and the full length of the Rangitikei, Oroua and Manawatu rivers. The aim is also to establish walkways along the specific waterways listed in Policy e) which adjoin Feilding and Palmerston North and where future demand for walking opportunities is likely to be strongest. Policy f) aims to provide extra options on other streams for casual recreation such as picnicking, in spots which are readily accessible from roads, ie up to 1km from bridges and other access points.

The Department of Conservation and the Regional Council also have responsibilities (and greater expertise) in protecting conservation values and water quality. The Regional Council has prepared a land and riparian management strategy which adopts a non-regulatory approach to riparian management. This Plan aims to complement Department of Conservation and Regional Council actions by recognising the natural values associated with riparian areas, by taking these values into account when managing development and

subdivision, and by providing direct protection to some areas. (Refer: Objective HV1, Page 7).

Esplanade management has a number of significant benefits. Riparian vegetation helps shade the water, providing better water temperatures for aquatic life. It can act as a breeding ground for fish and a nesting area for birds. It helps delay stormwater runoff, thereby reducing the severity of flood events, and helps to filter out excess nutrients and chemicals in runoff from adjacent land. Strips of vegetation along rivers can provide “corridors” for seasonal movement of birds, as well as enhancing amenity and landscape values. Benefits to landowners include shelter for stock, less soil erosion, and a possible alternative income source from trees. The public can obtain better recreational opportunities from more attractive waterways with healthier ecosystems.

The influence of riparian vegetation on in-stream ecological values and improved water quality is greatest in small streams because of the greater proportion of edge vegetation to water area. Proactive riparian management along small streams results in cumulative water quality benefits in main stem rivers. Riparian management is most effective when carried out on a comprehensive catchment-wide basis.

The extensive network of drainage channels on the plains collecting runoff from farmland often has little riparian vegetation through which to filter runoff. Ideally water quality in main rivers could be improved through sensitive farm management practices alongside drainage channels.

River user groups have supported the idea of Council adopting an information role. This involves identifying where legal access to water bodies exists now (eg paper road access), telling the public and user groups about it, and perhaps signposting or providing poled routes. (Landowner liaison is needed before any signposts go up). Council has already mapped all legal road access and existing reserves along the District's rivers. These maps are available for people to consult at the Council office. A necessary adjunct to improving access is then to help educate people about the duty of care which results from having the privilege of access. This will include providing appropriate signs, eg to tell people that dogs on an esplanade strip must be kept on a lead.

Objective 6 recognises the importance of river control and drainage works to the District. Such works could be compromised if buildings were erected so close to waterways that they obstructed access for machinery engaged in drain clearing or stopbank maintenance. Buildings can also limit Council's opportunities to later acquire a workable esplanade strip or esplanade reserve next to a water body. As a result, the Plan includes building setback distances from waterways. In some cases there will also be building restrictions because of the flood risk arising from the waterway (Refer: Part 8.2, Page 72). The Regional Council has controls on people building close to or undermining the structural integrity of stopbanks.

Esplanade Reserves and Strips

These are tools created by the Act which the Plan can use to achieve Objectives EM1 - EM6.

Esplanade reserves are strips of Council reserve land, usually 20 metres wide, located along the edge of rivers, lakes and the sea. The Act defines “rivers” as those which have a bed with an average width of more than 3 metres at “annual fullest flow without overtopping its bank”. “Lakes” are those which have a bed of over 8ha in area. Esplanade reserves are usually created at the time of subdivision, and are a type of financial contribution. (Refer: Part 7.1, Page 66).

This Plan specifies which water bodies esplanade reserves will apply to, and the width of the reserve which will be sought. (Refer: Rules C3 3.1.1 and 3.4.1, Pages 159 and 160). Esplanade reserves will be required irrespective of the size of the allotment being created.

With allotments of 4ha and over, the landowner must be compensated under the Act for the value of the land taken as a reserve. It is unfair to compensate people who create 4.1ha blocks but not those who create 3.9ha blocks. Council will therefore pay compensation irrespective of the size of the allotment. Compensation will include any extra fencing and survey costs. Esplanade reserves and strips can be acquired by direct negotiation or purchase at any time, whether a subdivision is proposed or not. They can also be transferred by mutual agreement to the Regional Council or the Department of Conservation.

Esplanade strips also involve pieces of land of defined width (usually 20m) along the water's edge. Instead of being transferred to the Council, though, esplanade strip land remains in the owner's possession. A legal agreement is drawn up, obliging the landowner to allow public access or recreation and/or protect conservation values on the strip. This agreement is registered on the land title concerned and binds future landowners. The Act prescribes standard conditions applying to use of all esplanade strips including bans on vandalism and stock interference. Different sets of requirements can apply to strips, depending on whether they are created for protection of conservation values, for recreation, for public access, or for a mixture of these things. For example public access can be banned from conservation strips.

Personal safety and security can be a concern for landowners if public access is created along waterways through their properties. On the unformed and less-used walkways much of this concern can be overcome by the landowner being able to "keep tabs" on who is using the strips across their property. Council's standard esplanade strip agreement for public access (Refer Fig.4) therefore contains a condition that all persons using a strip which does not contain a walkway formed or marked by the Council must advise the landowner concerned prior to use. The strip also must not be used during the hours of darkness.

Any person breaching the conditions of an esplanade strip (eg by vandalism) commits an offence under the Act. It is also possible to close esplanade strips for specified reasons and times.

Esplanade strips do not need to be surveyed and move with any changes of river direction to maintain practical public access. (If rivers shift, fixed esplanade reserves can end up in the middle of the river bed!) This Plan lists the water bodies along which strips will be sought. (Refer Rule C3 3.2.1, Page 159). If Council requires strips on allotments of 4ha and over, compensation for the loss of use of land is payable under the Act. Any additional survey and fencing costs will also enter into the compensation calculations. (Esplanade strips for water quality purposes for example need to be fenced to keep out stock in order to grow a vegetation buffer).

Weed control on esplanade strips will be up to the landowner concerned, except where Council forms a walkway along the strip. In such cases weed control by the Council will be part of maintaining the walkway to an appropriate standard for people to use and enjoy.

FIG.4 – STANDARD CONDITIONS OF ESPLANADE STRIP FOR PUBLIC ACCESS

The "Esplanade Strip Instrument" which creates the strip is registered on land titles and contains a number of standard conditions as follows:

1. The following acts are prohibited on the strip:
 - a) Wilfully endangering, disturbing, or annoying any lawful user of the strip (including the owner or occupier of the strip):
 - b) Wilfully damaging or interfering with any structure adjoining or on the land, including any building, fence, gate, stile, marker, bridge or notice:
 - c) Wilfully interfering with or disturbing any livestock lawfully permitted on the strip.

The prohibitions referred to in paragraphs (b) and (c) above do not apply to the owner or occupier of the strip.

2. The following further acts are prohibited on the strip:
 - a) Lighting any fire:
 - b) Carrying any firearm:
 - c) Discharging or shooting any firearm:
 - d) Camping:
 - e) Bringing any dog onto the strip, except on a lead.
 - f) Bringing any horse onto the strip, except with the permission of the owner or occupier of the strip)
 - g) Taking any vehicle onto, or driving or having any charge or control of any vehicle on, the land (whether the vehicle is motorised or non-motorised):
 - h) Wilfully damaging or removing any plant (unless acting in accordance with the Noxious Plants Act 1978 or the Biosecurity Act 1993):
 - i) Laying any poison or setting any snare or trap (unless acting in accordance with the Agricultural Pest Destruction Act 1967 or the Biosecurity Act 1993).
 - j) Being on the land during the hours of darkness.

The prohibitions referred to paragraphs a) to j) above do not apply to the owner or occupier of the strip, the grantee or the Manawatu-Wanganui Regional Council where the latter is engaged in river control works.

3. Any fencing (including costs) whether temporary or permanent, bounding the strip and the landowner's other land shall be the responsibility of the landowner. Where Council and the landowner however agree that extra fencing needs to be erected for the safety or convenience of the public using the strip, the costs of this fencing shall be settled by negotiation.
4. Stiles are to be provided where fences cross the strip. The responsibility (including costs) for providing stiles shall be borne by the Council. Council will consult with the landowner prior to undertaking any work on the strip including provision of stiles and walking paths.
5. Any person shall have the right to pass and re-pass over and along the strip between dawn and dusk except as specified in a) and b) below:
 - a) All persons using a strip which does not contain a walkway formed or marked by the Council must advise the landowner concerned prior to use.
 - b) The strip may be closed to public access by the landowner during lambing/calving times and when a hazard to people using the strip is present. Such hazards include tree felling, blasting, earthmoving and pest control operations, land instability, flooding and flood damage

NB: Any person contravening these provisions is committing an offence and is liable to prosecution under the Resource Management Act 1991.

Landowners have duties under the Health and Safety in Employment Act 1992 to warn visiting people about hazards on their property. Since these responsibilities will be increased by visitors using an esplanade strip, Council should assist in identifying hazards and by providing signage where appropriate. Any hazards resulting from work carried out by the Council, such as track clearance, will be Council's responsibility.

As with esplanade reserves, Council will also compensate people who subdivide blocks under 4ha in area. The actual amount of compensation can be determined in each case using normal valuation principles. In determining an amount of compensation, consideration will be given to a number of factors including the value of the parent block before and after the creation of the esplanade strip; the use of the land; land improvements; and accessibility. The Act provides for an independent valuer to be appointed if Council and a landowner cannot agree on the amount of compensation, and for a system of arbitration if either party is dissatisfied with the valuer's assessment.

The Regional Policy Statement signals the Regional Council's intention to provide resources for riparian management, where there are water quality benefits. The Department of Conservation has indicated a willingness to assist in situations where the esplanade reserve provides access to Department of Conservation land, protects significant natural values, or is protected by a covenant. A co-operative approach to cost-sharing, perhaps including user groups, is the best solution.

Esplanade strips are favoured as a tool rather than esplanade reserves. The only situation where esplanade reserves may be better is when there are plans to physically develop the water's edge as a park or picnic area.

District Plan Methods

- District Rule C3, Page 159.
- Building setbacks from the water's edge.

Other Methods

- Negotiating access and protection agreements, including access strips and esplanade strips.
- Information gathering and publicity on access opportunities.
- Reserves Acquisition.
- Assisting other agencies to implement appropriate riparian management methods and to protect the natural values of the coast, lakes and rivers.

6.3 ENVIRONMENTAL RESULTS ANTICIPATED

- 1) No legal public accessways to or along the District's coastline or rivers are revoked or otherwise blocked off. This includes any access provided by unformed public roads.
- 2) Additional legal access and opportunities for public recreational use of the water bodies listed in the Plan are provided.
- 3) Esplanade management requirements are put in place which help to preserve the natural character of the coast, lakes and rivers and their margins and to preserve areas of significant indigenous vegetation, wetlands and aquatic habitats.
- 4) The water quality and natural functions of the District's water bodies are improved
- 5) No structures are built in positions which prevent access to rivers and Drainage Scheme drains for stopbank or drain maintenance, or which preclude opportunities for future esplanade reserves or strips to be established along the edge of rivers and lakes.

6.4 MONITORING AND REVIEW PROCEDURES - ESPLANADE MANAGEMENT

The procedures to be used will include:

- a) Monitoring the demand for public access through public consultation processes.
- b) Reporting annually on the length of new esplanade strips created for public access and on the outcome of any applications to revoke existing riverside roads and other accessways.
- c) Reporting annually on the number and location of riparian areas which are placed under protection due to their natural values.
- d) Liaising with the Regional Council and Department of Conservation to monitor and report on the quality of the District's lakes and rivers and the impact of riparian management practices upon water quality and freshwater ecosystems.
- e) Responding to complaints about illegal structures which block public access or access for drain clearance.
- f) Assessing how effective the selected methods have been in implementing policies related to esplanade management, and changing these methods if necessary.

7. FINANCIAL CONTRIBUTIONS

7.1 INTRODUCTION

Council is only allowed to collect financial contributions from subdividers or developers if those contributions are authorised by provisions in the Plan. Contributions can be required as a condition of land use approval or subdivision consent, or upon any permitted activity, and may be in the form of:

- a) Money or
- b) Land (including esplanade reserves) or
- c) Any combination of money and land.

Any financial contributions collected must be used for the purposes specified, and must be calculated in the manner described in the Plan. (Refer Rule D1, Page 162).

7.2 OBJECTIVES

Objectives

FC 1) To ensure that subdividers and developers provide, or contribute toward the cost of providing, roading, utility services and reserves.

FC 2) To ensure that the level of these financial contributions is related to:

- i) The degree to which the facilities concerned serve the land in the subdivision or development,**
- ii) The additional demands which the development or subdivision places on public services or facilities, or**
- iii) The level of benefit which accrues to the subdivider/developer and future residents of the land.**

FC 3) To use financial contributions to mitigate the adverse effects of development or subdivision on the environment.

(Issues 5 and 10) (Refer also: Objectives S4, S8 and U 1 –Pages 49, 53 and 81).

Explanation

Sewerage, water and stormwater systems, roading networks and recreation reserves are important in maintaining an acceptable level of public health, safety and convenience. Council has a role in ensuring the continued provision of roading and reserves, and provides utility services in some places. These facilities are part of the physical resources which need to be managed under the Act.

New development and subdivision often results in a demand for the extension and upgrading of services, including reserves. It would be unreasonable for the entire cost of such extensions and upgrading to be met by the community as a whole. The purpose of taking financial contributions is to recover a portion of these costs from those who benefit directly from development (ie the subdivider/developer). A large part of the developer's "contribution" will often be installing new roads and services to cater for the development itself. Such works are not within the definition of "financial contributions", but will be required

as a condition of subdivision or land use consent. For the sake of completeness, the Council's approach to provision of such works is set out in the policies below.

Methods other than regulation (or possibly withholding permission to connect to services until certain moneys are paid) are unlikely to convince subdividers/developers to make appropriate contributions. District Plan rules will therefore be used.

7.3 UTILITY SERVICES

Purposes

- i) To provide adequate sewer, water or stormwater services to the land in the subdivision.
- ii) To provide a potable supply of water for human consumption, including industrial and commercial activities.
- iii) To provide a supply of water at an appropriate pressure for fire fighting.
- iv) To maintain and improve people's health and amenity, and to protect the environment.
- v) To maintain, improve, and develop the existing systems.

Policies

- a) To require the subdivider to meet the full cost of any new utility mains which need to be laid within the subdivision.
- b) Council will meet the extra costs involved if Council requires a higher standard of utility services than is needed purely to serve the land in the subdivision (eg requiring extra- large pipes to be installed to serve other land as well). Council will then recover those extra costs from the owners of that other land when it is subdivided.
- c) To require the landowner to pay the full cost of providing the service connections for new lots in a subdivision or for new developments.
- d) To require an appropriate contribution toward the capital cost of a water or sewerage scheme, if a development or subdivision on land outside a water or sewerage scheme area is to be connected to that scheme.
- e) To seek capital contributions from industrial or commercial developments which use large amounts of water or discharge large amounts of sewage into public systems.
- f) To require the developer to contribute appropriate land for pumping stations, reservoirs or other utilities.

Explanation

A variety of subdivision types and land use activities will require access to water, stormwater and sewerage services. In some cases this will require the extension of trunk services and in others, new service connections will be needed. Installation of these services should be at the subdivider or developer's cost.

In some cases the extension of services may benefit other landowners, eg where a larger capacity pipe is put in to service other land "upstream" of a particular subdivision. In these circumstances the subdivider should only have to pay a proportion of the costs involved.

Council will meet the extra expense involved, but will recover these costs from the owners of the “upstream” land when they in turn come to subdivide.

Extending services and adding new connections has the cumulative effect of “stressing” the utility networks. The result of this may be the need to upgrade mains, sewage treatment plants and water supply facilities. Properties within water or sewerage scheme areas will have contributed over time to the cost of the existing network. New properties which want to become part of a township (ie new growth areas) or become part of a rural water supply scheme haven’t contributed toward the cost of the existing utility system. They therefore could be seen as “getting a free ride”. This issue is more apparent in the rural water supply areas and smaller towns. Each new household in such areas puts a comparatively bigger strain upon plant capacity than would be the case in Feilding.

Activities like industries, which place large demands on water and sewerage capacity, have to negotiate with Council as supplier before they can be connected to the public system. The supply agreement which is reached will then include cost-sharing arrangements for any capital upgrading required.

District Plan Methods

- Rules D1 1.2 and 1.5 (Pages 162 and 163).

Other Methods

- Water supply and sewage disposal agreements with major users/dischargers.
- Policy on “extraordinary” connections.

7.4 ROADS AND STREETS

Purposes

- i) To provide safe and convenient vehicle and pedestrian access to and within subdivisions.
- ii) To enhance general amenity values and to maintain, improve and develop the roading and footpath network.
- iii) To provide safe and adequate access to dwellings and other buildings.

Policies

- a) To require the subdivider to pay the full cost of any new roads or joint driveways to serve a subdivision.
- b) To meet the extra cost involved if Council requires a subdivisional road to be extended in length to serve other land.
- c) To seek financial contributions where the new or increased traffic resulting from a subdivision gives rise to a need to form or divert any existing road or to upgrade that road to a higher standard.
- d) To seek financial contributions in cases where a new dwelling, subdivision or development requires access to be provided via an unformed legal road.
- e) To require any damage to roads caused by an activity (excluding that caused by “wear and tear”) to be repaired at the expense of the party who caused the damage.

- f) To require the subdivider or developer to pay for any upgrading which is needed to cope with a new activity, (eg stronger culverts and bridges), if a formed road is adequate for its present function and location.
- g) To require developers to pay for any new street lights, street signs, vehicle crossings or entranceways required to serve their development.

Explanation

All sorts of subdivisions may involve the formation of new roads, lanes and rights-of-way. If such roads and driveways will only benefit the lots in the subdivision, they should be paid for fully by the subdivider.

Subdivisions and other land use activities may also result in a need or demand for existing roads (including unformed roads) to be upgraded, widened or realigned. Existing roads within the District are usually sufficient to fulfil their present function, and Council is under no obligation to form them to a higher standard. Council is of course willing to discuss the possibility of upgrading specific roads. This may involve a staged programme including payments from the landowner.

The Plan allows Council to require a subdivider to pay all or part of the cost of upgrading any existing road, (formed or unformed) if:

- a) The particular subdivision or development is likely to give rise to additional traffic on the road concerned, and
- b) The road then needs to be upgraded to a higher standard as a result of this traffic.

If an existing road does need to be upgraded, any benefits to other landowners on the road will also be considered. The actual amount of contribution sought will be fixed at the time of subdivision consent. Once it has been paid, Council is obliged to carry out the full upgrading which has been costed.

There will be many situations where subdivisions or new houses rely on an unformed road for access. As noted above, Council is under no legal obligation to form or upgrade any unformed road. In cases where a building or new allotment needs access from such a “paper” road, the cost should be borne by the subdivider or developer, rather than by the community at large. Council will ensure that any works take concerns such as drainage and soil stability into account.

The onus will always be on the landowner and/or the operator of any land use activity involving heavy traffic to consult with the roading authority at an early stage to determine whether their proposals are compatible with the roading network. (Refer: Rule B3 3.3.1 H), Page 127). Council will seek to recover the cost of any repairs to its roads (above those caused by normal “wear and tear”) from the landowner and/or operator through the relevant legislation.

District Plan Methods

- Rules D1 1.3 and 1.4 (Pages 162 and 163).

Other Methods

- Local Government Act penalties for damage to roads.
- Road damage deposits.

7.5 RESERVES PROVISION

Purpose

Reserves contributions will be used to maintain adequate open space in towns and to provide land and facilities for public recreation and enjoyment for the people of the District, including to:

- i) Purchase land for recreation, leisure or amenity purposes.
- ii) Develop recreation, leisure or community facilities on reserve land.
- iii) Undertake joint ventures between Council and community groups and educational institutions to provide recreation, leisure and community facilities on community-owned land.

Policies

- a) To require an appropriate contribution in land or cash, where sites for utility purposes are required as a result of a subdivision or development.
- b) To require contributions toward new reserves or the development of reserves at the subdivision stage:
 - i) For all new residential allotments and,
 - ii) In all rural subdivisions where a new dwelling could result from the subdivision.
- c) To require reserves contributions in relation to multi-unit residential developments (ie where more than one dwelling is to be built on an allotment).
- d) To take appropriate pieces of land as a first preference for reserves contribution, while retaining the discretion not to accept particular pieces of land for reserves.
- e) To require one flat fee throughout the District for each extra lot and for each extra dwelling unit in a multi unit development.
- f) To require the monetary value of the reserve contribution to be the same whether land or cash or a combination of both is taken.
- g) To recognise the following when calculating the amount of reserves contribution payable:
 - i) The value of any esplanade reserves and strips being created.
 - ii) The level of past contributions by the subdivider/developer.
 - iii) The value of any land being set aside for heritage purposes by way of covenant or consent notice.

Explanation

Reserves fall into four main groups, namely:

- 1) “Local purpose” utility sites for water reservoirs, pumping stations etc.
- 2) Neighbourhood or amenity reserves. (Local children’s playgrounds and planting strips).
- 3) Area reserves which serve a wider area. (eg Timona Park) and
- 4) Those which have a District wide function such as Mt Lees Reserve or Totara Reserve.

The actual relationship between subdivision and demand for reserves is not a direct one. Any increase in demand occurs not when the subdivision happens, but when a new dwelling is built and a householder moves into it.

Reserves contribution will however continue to be levied at subdivision time, since this is the stage when Council needs sometimes to be able to take land for reserves. If instead land was to be taken sometimes at the subdivision stage, with the remainder of cases paying cash at the house construction stage, things would be unduly complicated and potentially unfair.

Since the demand for reserves is related to new households, contributions should be taken whenever a subdivision would result in a potential additional dwelling, and whenever a second dwelling is built upon a property. To be consistent this will apply to urban and rural situations. One fee of \$1,250 per additional lot/household will be charged throughout the District. This sum represents the minimum necessary for Council to maintain the current level of reserves development expenditure. The size of the reserves contribution fee will be updated each year to take account of inflation. The same fee applies throughout the District to reflect that some of Council's reserves have a District-wide function and that many others are used as part of networks which cater for recreation throughout the Manawatu.

Sometimes subdividers have tried to rid themselves of land which was difficult to develop (eg gullies), by donating it as a reserve. Council will only accept such land if it is of practical use to the community. (Policy d))

Esplanade reserves are also a type of financial contribution. (Refer: Part 6.2, Page 59). They form part of the recreational opportunities available to people. It would be unfair to require some subdividers to contribute more toward these opportunities than others, purely because they happen to have a river running through their property. Subdividers will therefore be entitled to offset the value of esplanades against their total reserves contribution.

Reserves contributions on industrial and commercial building projects and subdivisions are very difficult to justify, both in terms of fairness and impact on demand. The Plan does not therefore include this type of requirement.

District Plan Methods

- Rule D1 1.1 (Page 162).

Other Methods

- Recreational strategy

7.6 ENVIRONMENTAL RESULTS ANTICIPATED.

- 1) The community does not have to meet more than a reasonable proportion of the cost of providing roading, utility services, and reserves required in connection with new subdivision or development.
- 2) Financial contributions are used to mitigate the adverse effects of development or subdivision on the environment.

7.7 MONITORING AND REVIEW PROCEDURES - FINANCIAL CONTRIBUTIONS

The procedures to be used will include:

- a) Monitoring the level of the various types of financial contributions received, compared to the benefit to the subdivider/developer and the overall cost of providing the works or services concerned.
- b) Reviewing on a three-yearly basis whether, based on the information gathered in a) above, the levels of contribution required by Council's policies are fair.
- c) Regularly reviewing the District's recreational strategy and needs.
- d) Reviewing the required standards for works on a three-yearly basis, to check that they are still appropriate.

8. NATURAL HAZARDS

8.1 INTRODUCTION

The term natural hazards covers situations where water, air and ground movement have the potential to adversely affect human life and property. They can also have adverse effects upon structural assets and the natural values of areas. The hazards most relevant to the Manawatu District are flooding, earthquakes, land slippage, coastal erosion/deposition and tsunamis (tidal waves). Events such as storms, tornadoes, and volcanic ash showers may also happen, but land use planning could do little to reduce their effects. The potential threats to the Manawatu District are outlined more fully in the Council's Civil Defence Plan.

The first way of reducing adverse effects on people, property and natural values from hazard events is to reduce the severity of the event itself, for example by planting stream catchments to reduce the speed of water runoff. The second is to avoid damage by keeping residents and development away from the hazard. The third method is to try and modify the effects of the hazard, eg by constructing stopbanks to confine floodwaters.

When it comes to hazard avoidance, the level of risk determines the amount of development which is "acceptable". For example most people would agree that houses should not be built in places which flood every year, but the risk may be acceptable on a property which is flooded every two hundred years.

8.2 OBJECTIVES, POLICIES & METHODS

Objectives

NH 1) *To reduce the potential impact of natural hazard events, where these events represent a significant risk to human health and safety, to natural values or to property due to their potential severity and likelihood of occurrence.*

NH 2) *To avoid development which would adversely affect people's health and safety including by placing unnecessary demands upon response agencies, including Civil Defence, during and after a hazard event.*

(Issues 8 and 9) (Refer also: Objectives S6 and S8 –Pages 50 and 53).

Policies

- a) To help improve the level of knowledge about the District's natural hazards, particularly amongst those at risk.
- b) To take the potential effects of tsunamis, coastal erosion / deposition processes, and the possibility of sea level rise into account when planning for the beach settlements and coastal areas.
- c) To identify areas which are especially prone to damage from earthquakes, and consider special standards for buildings in these areas.
- d) To help reduce the severity of flooding and land erosion events.

- e) To prevent construction of dwellings in areas subject to deep and/or fast-flowing floodwaters.
- f) To ensure that all buildings which are potentially affected by 100 year flood events (ie those with a 1% probability of happening in any given year) do not significantly impede or divert the flow of flood waters.
- g) To ensure that dwellings which are potentially affected by 100 year flood events are designed so that floodwaters do not enter them.
- h) To ensure that each new subdivided allotment has at least one building site (including effluent disposal area and suitable vehicular access) which is not prone to natural hazards, unless Council is satisfied that no dwelling will be required on the allotment. (Refer Policy 5.3.6 (a), Page 50).
- i) To require that the stability of new buildings in areas which are potentially susceptible to land movement is investigated and assessed.

Explanation

The functions of territorial authorities under the Act include the *“implementation of rules for the avoidance or mitigation of natural hazards...”* Having a land use pattern which can co-exist with natural hazards also helps to achieve the Act’s goal of long-term sustainability.

Under Section 36 of the Building Act a building consent can only be refused if the new structure would make a hazard problem worse, eg by accelerating ground slippage or erosion. Otherwise a building consent must be issued, and Council can register a certificate on the land title to note the hazard and to absolve itself from liability. The only way of exercising effective control is therefore instead through Regional and District Plans.

The Regional Council has identified its role in natural hazard management as:

- 1) Providing information on flooding and other hazards, particularly those of regional significance.
- 2) Identifying what form of development may or may not be suitable in areas subject to various hazard risks, especially flooding. This involves discussion with territorial authorities.
- 3) Providing flood protection works, warning systems, and education about these systems.
- 4) Requiring that land be designated under the District Plan, where appropriate, for river control purposes.
- 5) Controlling the use of land in the beds of rivers and adjacent land designated or zoned for river control. (ie between the stopbanks).
- 6) Soil conservation controls and works, to prevent unsuitable development of erosion-prone land and to promote sustainable use of “at risk” catchments through planting etc.
- 7) Controlling the use of land to avoid or mitigate any adverse effects of land movement resulting from soil disturbance and vegetation clearance.

- 8) Regional Civil Defence response.

The District Council will be responsible for:

- 1) Working with the Region to gather hazard information, particularly where local detail is required.
- 2) Controlling building, associated development and the use of land in hazard-prone areas, except that identified in 5) and 7) above.
- 3) Promoting sustainable use of hazard-prone areas through the District Plan and perhaps assisting in limited cases with the Region's soil conservation programmes.
- 4) Local Civil Defence response and recovery programmes.

Under the Building Act, Council is required to keep information about hazards and to pass it on to the public. A great deal still however needs to be learnt about hazards in the District. Comparatively little is known about seismic, tsunami and land subsidence hazards in particular. Even this Plan's flood hazard information was prepared at a broad scale. More detailed survey work is often needed to define the degree of flood risk to any particular property.

The District's coastal area is potentially threatened by tsunami, coastal erosion and by shifting sand/sandblows. The NZ Coastal Policy Statement also requires that the possibility of sea level rise be considered. While stabilisation planting and sensible land use practices can reduce sand movement hazards, the only fully effective response to tsunami, marine erosion and sea level rise is avoiding development in the coastal area. (Refer: Objectives LU 23 and S8, Pages 32 and 53).

The Building Code requires that buildings be designed/protected so that water from a 50 year flood event would not enter them. This provides authority for setting minimum floor levels, and is very much a "bottom line" requirement. District Plan rules may be more stringent.

Based on recommendations from the Regional Council, this Plan sets out two Flood Channel zones. These are shown on the District Planning Maps.

The Flood Channel 1 zone comprises three areas where, based on flood flow velocities and/or depths, development is inappropriate and new dwellings are a non-complying activity. These areas are:

- 1) Downstream of the Flyers Line, Hamilton's Line and Kopane spillways. All of these places are subject to deep, fast-flowing water on a reasonably regular basis. In addition, development within these areas has the potential to either dam or divert floodwaters and cause previously non-floodable areas to flood.
- 2) The Taonui Basin. The depth of ponded floodwater can be approximately 4 metres at the downstream end of the basin and depths of over one metre are common over much of the remainder.
- 3) Between the stopbanks of the Manawatu and lower Oroua Rivers. Floodwater between the banks is deep and fast-flowing. Any development within the floodway also reduces the effectiveness of the stopbanking system.

The Flood Channel 2 zone identifies other areas which are likely to be inundated by a 100-year flood event and/or affected by poor drainage. In these areas however the flood risk is such that development may be able to proceed as a discretionary activity if appropriate conditions are imposed, eg minimum floor levels. Council will consider the impact of any such dwellings upon the available Civil Defence response. It would be undesirable to have people in pole houses or on “islands” during flooding if their access is lost and extra demands are placed on limited rescue resources.

Non-residential buildings in the flood plain can also have adverse effects. They can make flood control measures less effective by impeding floodwaters, and can divert water into places which would not otherwise be floodable. They will therefore be a controlled activity in both Flood Channel zones.

Fig. 5 shows an area between Pyke, Kellow and Milner Roads which contains a high concentration of small lakes which appear following a wet winter or intense localised rainfall. This area is shown for information only and does not have any special controls associated with it.

Examining a site’s potential for landslip hazards is part of the “duty of care” involved in the building consent process, ie reasonable steps must be taken to find out the extent of the possible problem. This duty exists whether or not Section 36 of the Building Act is being used. Using Section 36 is not automatic, and depends upon what geotechnical reports say about the particular site.

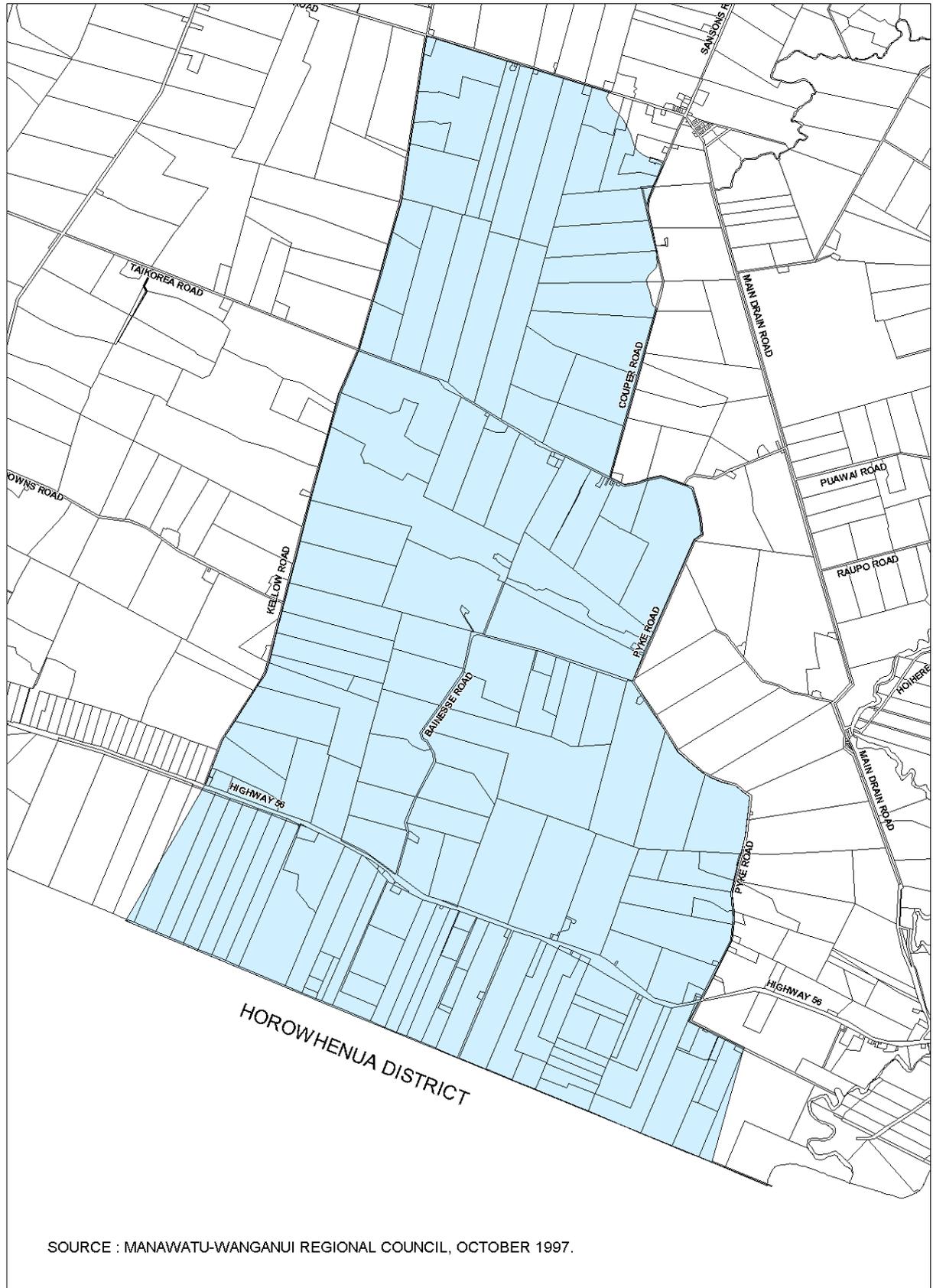
District Plan Methods

- District Rules B7 and C2 2.4.1 H). (Pages 145 and 157).

Other Methods

- Appropriate information-gathering exercises on natural hazards.
- Providing hazard information to landowners and interested agencies via the LIM system and other avenues.
- Information and education initiatives aimed at achieving more compatible use of potentially unstable hill country and sand country. Council will support Regional Council and landowner initiatives.
- Building Act requirements, (including possible geotechnical reports and Section 36 registration).
- Effective Civil Defence and other responses to hazard events.
- Taking natural hazards into account when designing and constructing Council works.
- Stormwater control features for new subdivision and buildings in areas where stormwater runoff causes or aggravates flooding problems.
- Council involvement in soil stabilisation measures, particularly to protect public assets such as roads.
- Local Government Act requirements which protect the structural integrity of the District’s roads by requiring consent for excavations within 20 metres of a road.
- Policy on assistance toward hazard protection for listed heritage buildings, (eg earthquake strengthening, fire-proofing).
- In exceptional cases assistance toward removing or stopbanking dwellings in flood-prone localities.

FIG 5- LOCATION OF LOCALISED PONDING AREA



8.3 ENVIRONMENTAL RESULTS ANTICIPATED

- 1) People living in new houses do not place unnecessary demands upon response agencies, including Civil Defence, during and after a hazard event.
- 2) The potential effects of tsunamis, coastal erosion or deposition processes, and the possibility of sea level rise, are minimised by limiting the growth of Himatangi Beach and Tangimoana.
- 3) No new dwellings are built in areas known to be subject to deep and/or fast-flowing floodwaters.
- 4) Any new buildings which are potentially affected by 100 year flood events are designed so that they would not significantly impede or divert the flow of flood waters.
- 5) All new dwellings are designed so that floodwaters from floods smaller than a 100 year event do not enter them.
- 6) No new dwellings are damaged or destroyed by land instability (except those which are subject to Section 36 of the Building Act 1991).

8.4 MONITORING AND REVIEW PROCEDURES - NATURAL HAZARDS

The procedures to be used will include:

- a) Working with the Regional Council to gather information about natural hazards and to maintain a hazards database.
- b) Reporting on growth of the beach settlements and on levels of damage to new dwellings and buildings from flood events and land instability.
- c) Reviewing all building consents granted for structures in the Flood Channel 1 and 2 zones for Regional Council input and conditions such as minimum floor levels.
- d) Debriefs after Civil Defence Emergencies include details of assistance sought from people in new dwellings in hazard-prone areas.
- e) Monitoring how effective rules and other methods have been in controlling development in areas at risk from natural hazards, and changing these methods if necessary.

9. ENERGY AND WATER USE AND AIR QUALITY

9.1 INTRODUCTION

The Act deals with a wide range of resources. District Councils are mainly concerned with land-related resources, namely soil, minerals, structures, vegetation and fauna.

Implementing measures to control discharges to air and to manage the effects of the use of energy and water is primarily a Regional Council responsibility. The Regional Policy Statement therefore deals with these matters, and with waste management, which is closely allied to the energy topic. (A lot of energy is used to create products which are used once then dumped). Re-use, recovery and recycling can substantially reduce overall energy demands as well as lessen demand for raw materials.

Local Councils also however have some clear duties when it comes to energy use and water and air quality issues. When putting land use controls in place or when dealing with applications to establish factories etc, Council must consider the impacts which land use activities could have upon energy resources, air and water.

9.2 OBJECTIVES, POLICIES & METHODS

<u>Objectives</u>	
EWA 1)	<i>To promote sustainability of energy and water use through more efficient use, conservation and a higher degree of local self sufficiency, as well as a move toward renewable energy sources.</i> (Refer also: Objectives LU 7 and S9 -Pages 14 and 55).
EWA 2)	<i>To take Maori cultural and spiritual values into account when dealing with water and energy use matters and air quality issues.</i> (Refer also: Objectives LU 4 and LU 28 –Pages 12 and 42).
EWA 3)	<i>To minimise the adverse effects of water and energy use and other activities upon the environment, particularly upon the life-supporting qualities of water.</i> (Refer also: Objectives LU 7, S 5, S 9, S 11, EM 5 and U 1 –Pages 14, 49, 55, 56, 59 and 81).
EWA 4)	<i>To help to avoid, remedy or mitigate the adverse effects of activities involving discharge to air, through land use management.</i> (Refer also: Objectives LU 1 and LU2 –Page 12). (Issues 2, 13 and 14)

Policies

- a) To promote wider public use of techniques to conserve water and energy and help improve water and air quality.
- b) To take future energy demands into account when considering urban growth proposals.
- c) To work with the Tangata Whenua to identify the relevant cultural and spiritual values related to this topic, through early and ongoing consultation.
- d) To recognise the benefits of tree and forest planting in helping to lower atmospheric CO₂ levels, and in improving water quality.

- e) To take potential impacts on water and air quality into account when managing the effects of new land use activities.
- f) To require that activities which may cause significant adverse effects through
- g) discharges to air are, as far as practical, located away from residential areas and other incompatible uses.

Explanation

The above statements are squarely in line with the Act, particularly with the matters stated in Sections 6 and 7. (Refer Page 1). Maori cultural values are relevant due to concerns with matters like water quality and water-based disposal of sewage.

There are many ways in which resource users, government agencies and the public could be persuaded to adopt a more sustainable attitude toward energy and water use and air pollution. The degree of financial or competitive benefit which people can gain from becoming more efficient is an important motive. The pricing structures which supply authorities put in place are therefore very important. The prime movers in energy efficiency campaigns should be regional and central government and energy suppliers, who are best placed to do this work. Council will be involved in some education campaigns, but will need to look first at water supply pricing and making its own “core activities” more “sustainable.”

Recycling is an example of an activity which should be promoted for its environmental benefits. These include minimising the amount of material dumped in landfills and lowering the demand for raw materials.

The Regional Council have prepared Plans for Oroua Catchment Water Allocation, (operative) and Manawatu Catchment Water Quality. They have also produced a Regional Air Plan and Land and Water Regional Plan. The initiatives in these Plans, (and the Land Transport Strategy) will go a good way toward meeting the above objectives. For example the Regional Policy Statement talks about lobbying for a national policy on energy. The District supports this idea since substantial energy savings (which are possible) will never be achieved without suitable energy pricing measures and other changes at the national level. Energy self-sufficiency as a region is an important goal, since dependence on overseas supplies, or even on other parts of New Zealand, may not be in the interests of future generations.

The Regional Council also proposes a waste inventory, to find out how much waste each industry produces, and how it is being disposed of. Opportunities for waste reduction and recycling can then be identified, eg one industry may produce a waste product which another industry could use as a raw material.

Under Section 30 of the Act and the provisions of its Regional Air Plan the Regional Council is responsible for controlling discharges of contaminants into the air. This includes discharges from industrial plants, burning of waste, blasting operations and agricultural spraying. The District Plan’s role, as set out in the Regional Policy Statement is to assist by keeping activities with potential “nuisance” air discharges away from sensitive activities such as residential areas.

Council has an input (through building, subdivision and planning processes) into projects undertaken by the private sector and network utility operators. It is also involved at the “tail end” of other people’s water and energy use processes through operating sewage treatment plants and a landfill. This gives Council scope to negotiate better environmental performance with its customers.

In general, Council cannot require more stringent standards than those which apply under the national Building Code. This means for example that higher home insulation standards cannot be applied in the Manawatu District to meet energy conservation goals.

District Plan Methods

- Plan Rules, including height controls which take solar access into account, controls which provide separation between residential areas and industries which could adversely affect air quality, riparian management for water quality reasons, and urban allotment sizes which provide enough room for rainwater tanks.
- Land use and subdivision consent conditions to mitigate effects on water and air quality, eg esplanade strips.
- Control over nuisances and potentially dangerous activities via abatement notices under the Resource Management Act.

Other Methods

- Promoting walkways and cycle routes and supporting the continuation of public transport.
- Campaigns to make people more aware of the impact of dumping substances into the stormwater system.
- Raising awareness within the building and farm supply industry about the energy/water efficient systems and appliances which are available.
- Continued water conservation campaigns, with reviewed water supply bylaws which include conservation measures, for example:
- Sensible hosing restrictions based not only on “time of use”.
- Stronger action on persistent water wasters, eg ultimate ability to disconnect their supply.
- Requiring that all new building projects install simple water conservation technology, like dual flush toilets.
- Back-up for water rationing measures if the townships’ rights to take water are curtailed during severe drought.
- Water supply, refuse and sewage disposal methods and charges which give people an incentive to reduce wastage.
- Making sure that the Tangata Whenua are consulted about any new waste management or sewage disposal plans, and that their concerns with water quality especially are recognised.
- Continued control over nuisances and potentially dangerous activities via the Health Act, Hazardous Substances and New Organisms Act, offensive trades licensing, and bylaws.
- Responding appropriately to public complaints about environmental pollution.
- Recycling programmes for the public.
- A Regional waste inventory programme, with District Council support.
- Environmental initiatives in Council’s own operations, including -
 - a) Assessing energy and water efficiency in all new projects and in existing plants.
 - b) In-house recycling and use of recycled products.

- Considering using alternative fuels for Council vehicles, taking into account not only direct costs but the benefits of reducing fuel imports and atmospheric emissions.
- Investigating new water supply sources which have less effect on river flow regimes.
- Education or incentives for urban residents to install rainwater tanks for supplementary supply and stormwater management.

9.3 ENVIRONMENTAL RESULTS ANTICIPATED.

- 1) Satisfaction among Tangata Whenua that their cultural and spiritual values are taken into account in Council's dealings with water and energy use matters and air quality issues.
- 2) District residents are efficient per capita users of water and energy, compared to the national average, and become more self-sufficient.
- 3) A high standard of air quality and improved water quality in the District's rivers, lakes and streams.
- 4) No new activities which require consent for discharges to air under the Regional Air Plan will be located within or near residential areas, or near other incompatible uses.

9.4 MONITORING AND REVIEW PROCEDURES - ENERGY AND WATER USE AND AIR QUALITY

The procedures to be used will include:

- a) Obtaining feedback from Council's Marae Consultative Committee about Council's dealings on these matters.
- b) Reporting on energy and water use in the Manawatu compared to national trends.
- c) "State of the Environment" reporting on water and air quality.
- d) Assessing how effective land use consent conditions have been in avoiding or mitigating adverse effects from energy extraction or use, and on air and water quality.
- e) Analysis of the location of new activities which require consent under the Regional Air Plan, and of complaints about these facilities.
- f) Obtaining feedback from the Regional Council to identify any water and air quality problems arising from land use activities.
- g) Preparing audits of energy and water efficiency within Council's own operations.

10. UTILITIES – OBJECTIVES, POLICIES AND METHODS

10.1 INTRODUCTION

The term “utilities” is defined in Section 2. It refers to the various networks of facilities and services which support the functioning of the District, and includes telecommunications, energy distribution, transport networks and airports.

Some utility providers and the Council have “requiring authority” status under Section 168 of the Act. This means that they can require specific pieces of land to be designated in the District Plan for their public works. Once the land is designated, the requiring authority may do anything that is in accordance with that designation, and other people require the consent of that authority before doing anything to the land. (Section 176 of the Act).

Many agencies such as NZ Rail have opted to use the designation process instead of having their land zoned. The New Zealand Transport Agency (NZTA) have required that State Highways be designated, but other roads are zoned. The Plan provides for a wide range of utilities in the various zones. This caters for works by agencies which either do not have requiring authority status or who choose not to use the designation procedure for a particular work.

10.2 OBJECTIVE, POLICIES & METHODS

Objective

U 1) To provide for the efficient development and maintenance of utilities throughout the District, while avoiding, remedying or mitigating the adverse effects of these facilities wherever practical.

(Issue 5) (Refer also: Objectives LU 1, LU 2, LU 23, LU 25-27, S8, S9, EM 6, FC 1, and EWA 1 -Pages 12, 32, 34, 39, 40, 53, 55, 60, 66 and 77).

Policies

- a) To recognise the need for utilities throughout the District, including the subdivision of sites for utilities.
- b) To avoid, remedy or mitigate the adverse effects of utilities, and the effects of other activities on utilities.

Explanation

Utilities are essential to the functioning of the District. It is in the public interest for their development and expansion to proceed. On the other hand, though, some utilities can have adverse impacts upon the landscape, ecosystems and adjoining landowners. These impacts must be managed under the Act and minimised or avoided whenever possible.

If utilities share sites and facilities, and co-ordinate their works programmes, the overall impact on the environment can be minimised. One example is where different agencies use one telecommunications mast, or group their masts together, instead of having a row of different

facilities on the skyline. Another is where agencies replacing underground services do so at the same time, to avoid the inconvenience and nuisance of the street being dug up repeatedly.

Nearby land use and subdivision activities can have an adverse impact upon utilities. Such effects also need to be managed. An example is where ribbon development along a main road affects its ability to operate safely and efficiently.

District Plan Methods

- District Rule A2 2.5 (Page 102).
- Air noise controls for Milson Airport - District Rules B3 3.1.1, 3.3.1 N), 3.5.1 and 3.6 (Pages 124, 129, 131 and 133), B7 7.5.1 and 7.6 (Page 149), and C2 2.4.1 H) (Page 157).

Other Methods

- Negotiation with utility providers for shared sites and facilities whenever possible.
- Systems for Council and various utility providers to co-ordinate timing and location of works.
- Undertaking Council works in ways which minimise environmental impact and help them fit into their surroundings, eg by landscaping around buildings.

10.3 ENVIRONMENTAL RESULTS ANTICIPATED.

1. Utility providers develop and maintain their networks, without having to obtain consent for projects which will have minimal environmental effects.
2. Any effects of utility projects which are more than minor are avoided, remedied or mitigated.
3. The efficient operation of utilities is not unduly compromised by other activities nearby.

10.4 MONITORING & REVIEW PROCEDURES - UTILITIES

The procedures to be used will include:

- a) Assessing the effectiveness of the selected methods in implementing the Plan's utility policies, and changing these methods if necessary.
- b) Surveys of utility providers to identify unnecessary consent requirements, and instances where other activities are adversely affecting the operation of the utility.
- c) Monitoring and reporting on complaints about the effects of utility projects and operations.

11. CROSS BOUNDARY ISSUES

11.1 INTRODUCTION

The Act requires that District Plans state *“the processes to be used to deal with issues which cross territorial boundaries.”* (Section 75) There are many issues and problems which Districts have in common, but the true “cross-boundary” issues arise from:

- a) Activities which are located in one District but which may impact adversely on another, eg airport flight paths.
- b) Natural or built resources which straddle District boundaries, if a problem may result if the resource is not managed in a consistent way by the Districts concerned.

Boundaries between the jurisdiction of Council and other bodies such as the Regional Council (or the lack of a clear division of responsibilities) can also be regarded as cross-boundary issues.

11.2 IDENTIFIED ISSUES

The cross-boundary issues which are most relevant to the Manawatu District are:

- 5) Potential noise problems from boats on the boundary rivers (Manawatu, Pohangina and Rangitikei).
- 6) The effects of Milson Airport and Ohakea Air Force Base, particularly noise.
- 7) Implementation of esplanade walkways, where those walkways would cross a District boundary, ie Manawatu and Pohangina Rivers and the Mangaone Stream.
- 8) Land use and subdivision proposals which may have an impact on people and properties in a different District.
- 9) Potential duplication of effort or gaps in responsibility between Council and the Regional Council or other agencies, eg management of the beach area below high tide.

There are many other situations where a resource straddles more than one District, but the planning provisions for those Districts can be different without creating a problem eg gas pipelines. Such situations are not recognised as an issue.

11.3 PROCESSES TO BE USED

The above five issues will be addressed by maintaining a dialogue with other Councils and working with them and the other parties involved. This would include:

- 1) Involving other Councils at an early stage in the preparation and review of the Manawatu District Plan.
- 2) Being involved in the early stages of other Councils' Plans.
- 3) Discussing mutual problems and difficulties which arise from cross-boundary issues.
- 4) Seeking input from adjoining Councils when a resource consent application is received which may affect them.
- 5) Using joint hearings where consent under the Act is required from more than one authority.
- 6) Having representatives of another District on the Manawatu District Council Hearings Committee where a land use application will have a significant effect on the residents of that District.
- 7) Delegating responsibility for Plan administration, to put management in the hands of one authority.
- 8) Acting as a liaison point for the public with the Regional Council.

11.4 MONITORING AND REVIEW PROCEDURES - CROSS BOUNDARY ISSUES

The procedures to be used will include:

- a) Checking whether present and proposed Regional Plans and other District Plans conflict with this Plan in respect of the above issues, and initiating amendments if necessary.
- b) Assessing whether differences between the Plans are causing practical problems for users or for proper management of the resource.
- c) Assessing the efficiency and outcome of any hearings, delegations, and mixed-representation Hearings Committees.
- d) Assessing how effective the above processes have been in dealing with cross-boundary issues, and changing these processes if necessary.

DISTRICT RULES

NB – Words outlined in bold type in the District Rules have a specific definition contained in Rule E, (Pages 165-173).

RULE A – GENERAL

RULE A1 – CONSENT PROCEDURES

1.1 INTRODUCTION

The Plan's rules aim to avoid, remedy or mitigate the adverse environmental effects of any use of land and any associated natural and physical resources for which the Council has responsibility under the Act. This includes the effects of development or protection of land, subdivision, and any activities on the surface of rivers and lakes.

The term 'rule' applies to any control used within the District Plan. The main system used is to classify activities into categories with different levels of control, depending on their actual or potential effects. (Refer: Part 0.10, Page vii). The Plan Rules also contain standards which land uses and subdivisions must meet. The controls and standards are different for each zone.

People applying for a land use or subdivision consent may also need resource consents from the Regional Council. For example a project could require a subdivision consent for a proposed new lot, a land use consent for a factory on the new lot, a water permit to put down a bore, and a discharge permit to dispose of effluent.

1.2 INFORMATION REQUIREMENTS FOR RESOURCE CONSENT APPLICATIONS & DESIGNATIONS

1.2.1 Certificates of Compliance

An application for a Certificate of Compliance must include sufficient detail to assess whether the proposal complies fully with this Plan.

Plans of existing or new buildings at an appropriate scale may be required, showing internal floor layout, elevations of the building, property boundaries and other buildings.

1.2.2 Land Use Consent Applications

- A) Information to be Provided
 - i) All applications shall be in the proper form, and should explain:
 - a) Who is making the application, and the location of the site concerned.
 - b) The nature, staging, and physical extent of the proposed activity.
 - c) Relevant operational matters, staff numbers, traffic, access and parking information.

- d) Landscaping and screening proposals.
- e) The actual or potential effects that the activity may have on the **environment**.
- f) The ways in which any adverse environmental effects may be mitigated.
- g) Any other resource consents that the activity may require, and whether or not such consents have been applied for.
- h) Any resource consent application pertaining to noise attenuation shall be accompanied by the following additional information:
 - Identification of the method of construction to be used for the purpose of noise attenuation; and,
 - Relevant documentation which confirms that the method identified will achieve the insulation ratings specified.

NB - Insufficient information may delay the processing of an application.

- ii) Changes to the design and other details of a notified application may be made before the end of a hearing, but only if the amendments are within the scope of the original application. If the changes go beyond that scope, such as by increasing the scale or intensity of the proposed activity, or by changing the character or effects of the proposal, a fresh application will be required.
- iii) Applications for land use consent should usually include a set of drawings to explain the proposal. These drawings must be accurate, legible and capable of being readily copied, and should show, as applicable:
 - a) Site location, with road name, property boundaries, and north point.
 - b) Site plan at an appropriate scale, showing:
 - The location of all existing and proposed buildings and structures (including any verandahs, decks, eaves and balconies).
 - The position of any easements, and existing and proposed services.
 - The position of parking and loading spaces, and proposed access and manoeuvring areas, including the location of any vehicle crossings.
 - Levels on boundaries and around any buildings, plus ground contours if the site is steeper than 1 in 10.
 - Proposed retaining walls, excavations and fill.
 - Existing trees and areas of vegetation, and proposed landscaping.
 - Watercourses within the site and proposals to manage stormwater and effluent.

- c) A floor plan of each building at an appropriate scale, showing the internal layout of the building and the use of rooms or parts of a floor.
 - d) Elevations of each building at an appropriate scale, showing:
 - The external appearance of the building (including windows and doors).
 - The number of floors.
 - Building **heights** and distance to any property boundary.
 - How this Plan's **height** controls apply to the building.
 - Original and new ground levels underneath proposed buildings.
- B) Assessment of Environmental Effects
- i) Any assessment of environmental effects supplied with an application must provide enough information for anyone to understand the actual or potential effects (both positive and negative) of that activity on the **environment**, and the ways in which any adverse effects will be mitigated. The level of detail shall correspond with the scale and significance of those effects.
 - ii) If the application is for a controlled activity or restricted discretionary activity, the assessment need only cover the matters over which **Council** has retained discretion.
 - iii) An assessment of environmental effects should include the following, as appropriate:
 - a) A description of the site and its neighbourhood
 - b) A description of the proposed activity, and, if the activity may have significant adverse environmental effects, the reasons for selecting the proposed site, scale and type of activity.
 - c) A review of the resource management policies which apply to the proposal.
 - d) An assessment of the actual or potential effects on the **environment** of the activity, including adverse effects, benefits and cumulative effects, particularly:
 - Any physical effect on the locality, including landscape and visual effects, noise, and any effects on natural hazards.
 - Any effect on ecosystems, including effects on animals or plants and disturbance of habitats.
 - Any effect on **heritage places, natural areas** or other places of special value to present and future generations.
 - Any effect on nearby people and the wider community, including any socio-economic and cultural effects and impacts upon **amenity values**.

- Any effect on the efficiency of transportation, communications, and public services.
 - The effect of any discharge into the environment, (subject to any Regional Plan).
 - An assessment of any risks to the environment (particularly the health and safety of people) arising from any use of hazardous substances.
- e) A description of the mitigation measures (including monitoring, safeguards and contingency plans where relevant) to help prevent or reduce any adverse environmental effects, including an explanation of why these mitigation measures were preferred to others.
- f) A list of persons interested or affected by the proposal, the consultation undertaken, and the results of this consultation.
- g) A description of how the activity's effects are to be monitored and by whom.

1.2.3 Subdivision Consent Applications

- A) All applications shall be in the proper form and should include:
- i) The information required under Section 219 of the Act, namely:
- a) The position of all new boundaries.
 - b) The size of all new allotments, except in the case of cross lease, company lease, or unit plan subdivisions.
 - c) The location and size of existing and proposed reserves, including any **esplanade reserves**.
 - d) The location of existing and proposed **esplanade strips**.
 - e) The location and size of any land below mean high water springs of the sea, or of any part of the bed of a river or lake, which is required under section 237A of the Act to be shown on a survey plan as land to be vested in the Crown.
 - f) The location and areas of land to be set aside as new road.
 - g) The extent to which connections to electricity, gas and telecommunication networks are available to service the needs of the development and/or subdivision.
- ii) Plans drawn to scale, legible and capable of being readily copied. The plans must show, as appropriate:
- a) The address and legal description of the property.
 - b) The position of any new covenant boundaries for cross-lease and unit title subdivisions.
 - c) The location of any proposed easement.

- d) Abutting and underlying title boundaries, and existing building line restrictions and easements.
 - e) The balance area of the property to be subdivided showing proposals for future development (if known).
 - f) Contours or spot heights sufficient for the design of access and services, and to show the general topography of the area, particularly around proposed house sites.
 - g) Any features to be protected, including vegetation or trees.
 - h) The main topographic features, including water courses, trees and areas of filled ground.
 - i) Existing and proposed provision for stormwater and farm drainage, and sewage disposal. For unsewered areas, evidence may be required that sewage can be adequately disposed of in an environmentally acceptable manner, without risk to health.
 - j) Existing structures (including buildings), and whether such structures will be retained, shifted or removed.
 - k) Existing and proposed roads, vehicle crossings, pedestrian accessways, and service lanes with relevant widths, areas and gradients.
 - l) In urban situations, the proposed location, size and grades of all **utilities**.
 - m) Proposed areas of excavation and fill, with finished contours where significant alterations to the ground surface are proposed.
 - n) Any public works designations.
 - o) Any **heritage places** identified by the Plan.
 - p) An overall development plan of the proposed new and any existing development must accompany **infill** subdivision proposals for the site.
- iii) Information on:
- a) The availability of **utilities** for each new lot.
 - b) The stability of the new lots, including the depth and compaction of any fill and the future likelihood of earth movement or erosion.
- iv) For subdivision proposals within a Growth Precinct:
- (a) Applications must have supporting information and assessment to demonstrate how the proposed subdivision design and layout accords with the relevant Structure Plan (Appendix 9A-C).
 - (b) An evaluation against the Subdivision Design Guide (Appendix 10) demonstrating that the guiding principles have been providing for in the proposed subdivision.

Note: The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health may also apply and a consent may be required under those provisions.

1.2.4 Public Works Designations and Outline Plans

- A) The procedure for a notice of requirement is set down in Sections 168 and 171 of the Resource Management Act 1991.
- B) Certain circumstances where **outline plans** are not required are listed in Section 176A (2). **Council** has the right to waive the requirement for an **outline plan** and will consider the need for such a plan on a case by case basis upon request from the requiring authority. Outline Plans will not be required in respect of:
 - i) Any work which was fully disclosed in a notice of requirement under Section 168 of the Act.
 - ii) Any work which the person or body responsible for its construction considers is immediately necessary to safeguard life or property; or to maintain or restore communication or transport links.
 - iii) Any utility listed in Rule A2 2.5 of this Plan.
 - iv) Such other works for which it is considered to be impractical or unnecessary to prepare outline plans.

1.2.5 Further Information

- A) **Council** may, under section 92 of the Act, require applicants to supply further information which is needed to better understand:
 - i) The nature of the proposed activity,
 - ii) The effects the proposed activity may have on the **environment**, and
 - iii) The ways in which any adverse environmental effects are to be mitigated.
- B) If any significant adverse effect may result from a proposal, the **Council** may commission a report, with the report brief prepared in consultation with the applicant, for purposes which include:
 - i) Checking the accuracy, relevance and completeness of the information provided.
 - ii) Reviewing any technical or operational details of the proposal.
 - iii) Identifying and assessing any natural hazard or the use or storage of any hazardous substance, including measures to mitigate any potential adverse effects.
 - iv) Providing information on matters such as heritage values, **amenity** or cultural considerations.

1.2.6 Notification and Service of Applications

The following is a *guideline only*, to assist applicants and interested parties. It is not intended to limit the Council's discretion or responsibilities under Sections 93 to 94D of the Act.

- A) Any application for a resource consent for a controlled activity or a restricted discretionary activity does not need to be publicly notified.

NB- Under Section 93(1) of the Act, applications for discretionary and non-complying activities need not be notified if Council is satisfied that the adverse effects of the activity on the environment will be minor.

- B) Notice of any application for resource consent does not need to be served on affected persons in the following circumstances:

- i) The application is for a controlled activity land use or subdivision consent, or
- ii) The application is for a restricted discretionary activity subdivision consent, except for any subdivision where Rule C1.2.1 A) vi) applies or subdivisions which do not comply with Rule C2 2.4.1 H) due to a failure to meet Rule B3 3.3.1 D) in respect of separation from a dwelling or potential dwelling on another site or
- iii) The application is for a restricted discretionary activity land use consent which concerns non-compliance with any of the following rules:
 - a) Outdoor **living courts** and **service courts**.
 - b) **Site Coverage**.
 - c) Landscaping.
 - d) Density of dwellings.
 - e) Roading Impacts (Rural zone).
 - f) Provision of verandahs in the Business zone.
 - g) Street Frontage in the Business zone.
 - h) Floor Area of **Buildings** (Flood Channel zone).
- iv) The application is for a restricted discretionary activity land use consent for construction or reconstruction in central Feilding (Rule B4 4.4.1, Page 137) and the proposal meets the design guidelines in Appendix 1H (Page 188).
- v) The application is for a restricted discretionary activity land use consent for clearance, modification, harvesting or removal of indigenous vegetation (Rules B3 3.4 and B7 7.4, Pages 131 and 149).

NB- Under Section 94(2) of the Act, notice of any other application for resource consent does not need to be served on affected persons if all persons who, in Council's opinion, may be adversely affected by the activity have given their written approval to the activity.

- C) Despite the above, the **Council** may, under Section 94C of the Act, publicly notify any application if an applicant requests or in special circumstances.

1.3 ASSESSMENT OF APPLICATIONS

1.3.1 Reservation of Control - Controlled Activity Land Use Applications

- A) Relocated Buildings - Refer to matters of control provided for in Rule 3G.4.1.

Relocated Buildings (Rules A2 2.3.2, B1 1.2.1, B2 2.2.1, B3 3.2.1 and B5 5.2.1).

- i) The design and appearance of the building, and its compatibility with other buildings nearby and the neighbourhood generally.
- ii) The need for structural repairs to the building, including borer treatment.
- iii) The bulk and location of the building in relation to the usual requirements for the zone.
- iv) Work associated with the reinstatement of the building. Unless Council dispenses otherwise, such work shall be completed within six months from the date of the issue of a building consent. Council will require a cash bond,

which is sufficient to cover the cost of the works involved in bringing the exterior appearance of the building up to standard, to ensure that this work is done.

- v) The precise location of relocated heritage buildings within their new site and the retention of any architectural features or other important part of the building's fittings.

B) Accessory Buildings on Front Yards (Rules B1 1.2.1 and B2 2.2.1)

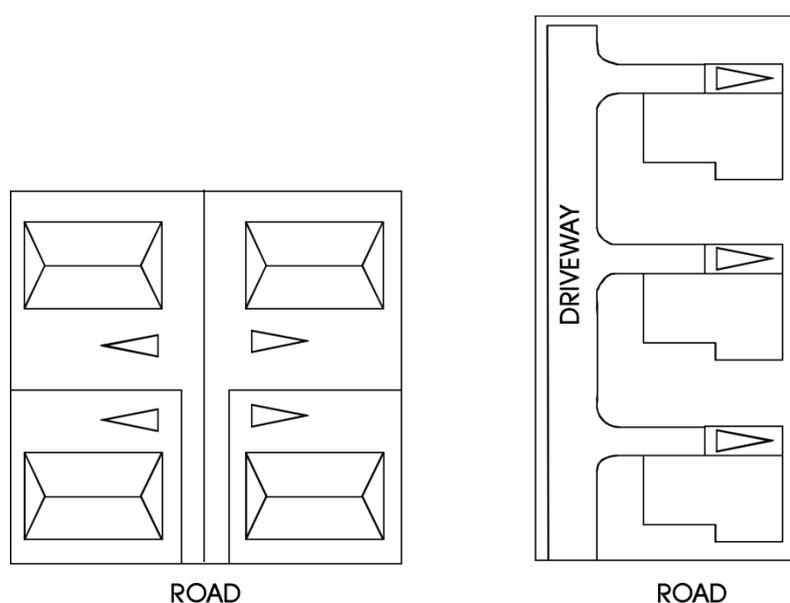
- i) The design and appearance of the buildings. They should blend harmoniously with the main building in order to maintain the residential character of the neighbourhood.
- ii) The construction, materials and painting of exterior surfaces, together with screen planting.

C) Dwellings on Sites under 350m², and More than Two Units on a Site (Rules B1 1.2.1 and B2 2.2.1)

- i) Separation and design of houses for visual and aural privacy, including screening, the bulk of proposed buildings in relation to neighbouring properties, and the location of open space and glazing.
- ii) Arrangement of **yard** space, including the use of zero lot lines, common open space and room for trees and landscaping.
- iii) The orientation, roof pitch and style, and footprint of the dwelling units, in terms of promoting a difference from other dwellings existing or proposed nearby.

The illustrations in Diagram A below show the type of development which would not be appropriate:

DIAGRAM A – NOT APPROPRIATE



D) Buildings on Land Subject to Inundation and Buildings in the Flood Channel Zones. (Rules B1 1.2.1 and B7 7.2.1).

- i) The design, construction, and location of buildings having regard to their potential effect on flood water flows.

- ii) The minimum floor level of buildings. **Non-accessory buildings** should be designed so as not to be entered by a 100-year flood (ie a flood event with a 1% annual probability of occurring).
 - iii) The location and design of vehicular access to the building.
(Building consent may be granted subject to Section 36 of the Building Act 1991).
- E) Residential and Caretakers Accommodation (Rules B4 4.2.1 and B5 5.2.1)
 - i) Noise mitigation measures. The siting and construction of the accommodation shall ensure that noise received at any boundary shall be reduced by 20 dB when received in any living room and by 30 dB when received in any room used for sleeping. In the absence of forced ventilation or air-conditioning these reductions shall be achieved with any exterior windows open. This requirement does not apply to noise received at boundaries with **sites** zoned Residential or Village.
 - ii) Prior to considering the application, **Council** may require an acoustic design report to be prepared by a suitably qualified and experienced person, demonstrating compliance with i) above.
- F) Multiple Dwellings on Parcels of **Maori Land** (Rule B3 3.2.1)
 - i) Adequate disposal of domestic effluent, including the standard and method of disposal.
 - ii) The extent to which the proposal complies with the Plan's requirements for other dwellings in the Rural zone.
- G) Refuse Transfer Stations and Recycling Depots (Rule A2 2.5.2)
 - i) Fencing and screening of the site.
 - ii) Hours of operation of facility.
 - iii) Regular removal of refuse from the site.
 - iv) Precautions to be taken against odour nuisance.
- H) **Pig Farming** (Rule B3 3.2.1 A)
 - i) Landscaping and screening around piggery buildings
 - ii) Mitigation of effects upon nearby properties, including potential odour nuisance.
- I) **Motor Caravan Sites** (Rule B2 2.2.1 A)
 - i) Location and screening of motor caravan parking.

1.3.2 Reservation of Control – Controlled Activity Subdivision Applications

- A) The matters in respect of which **Council** has reserved its control are:
 - i) Provision of water supply and disposal of water, wastewater and stormwater, where the design and capacity of any reticulated system reflects the new and anticipated future demand and requirements.
 - ii) The number, location and formation of vehicle crossings.
 - iii) Provision of a connected street network, with appropriate use of street hierarchy and design type, including the width, length, drainage and formation of access.
 - iv) The matters specified in Section 220 of the Act.
 - v) The size, shape and arrangement of allotments, in relation to road frontages, and location of proposed boundaries.
 - vi) The creation of appropriate easements.
 - vii) Payment of financial contributions including reserves contribution.
 - viii) Providing, forming, naming and signposting new roads.
 - ix) Preservation of existing vegetation.

- x) Provision of open space including the retirement of steep land, gully systems, connections/links with other areas, **esplanade reserves** and strips, and local reserves.
- xi) Suitability of proposed allotments for subsequent buildings and future use, including the separation of proposed building sites from high voltage electricity transmission lines.
- xii) Impact of subdivision upon future management of **natural areas** and **heritage places**.
- xiii) Requiring a consent notice to be placed on the titles of newly-subdivided allotments which have no further subdivision potential under this Plan, to alert potential purchasers to that fact.
- xiv) Accordance with any relevant Structure Plan and adherence to the principles set out in the Subdivision Design Guide.
- xv) Provision of a network of cycleways and walkways to the extent that these service the subdivision and connect with the surrounding environment.
- xvi) Provision of buffers or other measure to delineate the boundary between urban and rural environments and provide separation between potentially incompatible activities.
- xvii) The extent to which connections to electricity, gas and telecommunication networks are available to service the needs of the development and/or subdivision.
- xviii) Avoidance or mitigation of flood hazards, including the assessment of the level of flood hazard risk from the waterbody and what mitigation measures are required, such as setback distances, minimum floor levels or specified building platforms.

1.3.3 Reservation of Control - Restricted Discretionary Activities

- A) In assessing applications for restricted discretionary activities **Council** has reserved its control over matters related to the effect of allowing non-compliance with the particular performance standard (or standards) which the proposal has failed to meet. Conditions may be imposed to avoid, remedy or mitigate the effects of non-compliance.
- B) In assessing applications which have become restricted discretionary activities due to non-compliance with the Plan's performance standards, but which otherwise would have been controlled activities, **Council** has also reserved its control over the matters in Rules A1 1.3.1 or 1.3.2 3 which relate to that type of controlled activity.
- C) In relation to new **buildings** within the Inner Control Area or the Outer Control Area,
 - i) The degree to which the adverse effects of aircraft noise will be mitigated through building construction methods which meet the noise insulation rating for **Schedule P**, **Schedule Q** or **Schedule R** as applicable, including a 5dB safety margin.
 - ii) The health, safety and amenities of occupiers of the building in relation to airport noise.
 - iii) The potential effect of residential or communal use of the building upon the continued operation and efficiency of Milson Airport, by way of pressure for curtailment of aircraft operations.

D) ~~[Deleted PC55]~~

~~In assessing applications for vehicle crossings onto arterial routes which do not meet the Plan's standards, Council will take into account:~~

- ~~i) Any adverse effect on the arterial route of the vehicle movements at any access or intersection.~~
- ~~ii) The availability of reasonably practical legal access to a road other than the State highway.~~
- ~~iii) Whether there is sufficient and appropriate off-road parking to meet the needs of the activity and avoid or minimise adverse effects on the safe and efficient operation of the arterial route.~~
- ~~iv) The extent of non-compliance with the Plan standard concerned.~~

E) In relation to subdivisions to provide separate titles for two or more rural dwellings which existed on a single title on 1 August 1998 (Rule C1 1.2 A iii), Page 151), the degree to which the subdivision will produce individual house sites which:

- i) Have an adequate separation distance from each other and from nearby rural activities, and
- ii) Can provide for adequate disposal of domestic effluent and stormwater.

F) Where it is proposed to subdivide land to create new allotments within the National Grid Corridor or within an area measured 20 metres either side of the centre point of a high voltage (110kV or higher) transmission line, the subdivision design should have particular regard to the following matters:

- i) The extent to which the subdivision design mitigates the effects of the lines through the location of roads and reserves under the route of the line; and
- ii) The ability for continued maintenance and inspections of transmission lines; and
- iii) The minimisation of risk or injury and/or property damage from such lines; and
- iv) The extent to which potential adverse visual effects are mitigated through the location of building platforms; and
- v) The outcome of any consultation with the affected utility operator; and
- vi) The extent to which any earthworks and the construction of any subsequent buildings will comply with the NZ Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001); and
- viii) The nature and location of any proposed vegetation to be planted in the vicinity of transmission lines

G) ~~[deleted PC46]~~

H) Dwellings and subdivision sites in the Pohangina Valley which do not comply with Rule B3 3.3.1 D) shall be assessed in terms of:

- a) The adverse visual effect which any future dwellings, and associated driveways and boundary plantings, would have upon the landscape of the Pohangina Valley through factors such as :
 - The visual prominence of the site.
 - Impact on the integrity of the horizontal line of the Valley's open river terraces.
 - Compromising the open spaces and vistas which are an integral part of the Valley's character.
- b) The ability for these effects to be mitigated or remedied.
- c) The likely impact upon the amenities of existing and future residents of the Valley of permitting a smaller separation distance.

- I) In assessing applications for keeping goats within 5km of the Ruahine Forest Park (Rule B3 3.3.1 G) iii), Page 127), Council has restricted the exercise of its discretion to:
- i) The ability to confine goats upon the site
 - ii) The potential effect of goats escaping upon the natural values of the Ruahine Forest Park.
 - iii) The location of the goat keeping within the property
- J) In assessing applications for clearance, modification or harvesting of indigenous vegetation (Rules B3 3.4 and B7 7.4, Pages 131 and 149), Council has restricted the exercise of its discretion to the potential impact of the proposed activity upon:
- i) Areas of significant indigenous vegetation and significant habitats of indigenous fauna
 - ii) The intrinsic values of ecosystems.
- K) In assessing applications within Manfeild Park Zone, Council has restricted the exercise of its discretion to:
- the potential impact of the proposed activity upon those matters not complied with
 - the requirement to provide view shafts
 - landscaping and
 - to retain open space.
- L) In assessing applications for the Special Development Zone, Council has restricted the exercise of its discretion to:
- whether the proposed activity is ancillary to the operation of Manfeild Park
 - access arrangements
 - the requirement to provide view shafts and
 - required landscaping
- M) In assessing applications for subdivisions within any of the Growth Precincts that do not comply with the stormwater neutrality standard (Rule C2 2.1.1 E), Council has restricted its discretion to:
- i) The extent of post development run-off generated by the development;
 - ii) The measures used to avoid, remedy and mitigate stormwater runoff from entering the overall Feilding stormwater network;
 - iii) The availability of stormwater detention areas or conveyance opportunities on surrounding land.
- N) In assessing applications for earthworks that do not comply with Rule B1 1.3.5 F iii) a), Council has restricted its discretion to:
- i) Any effects on the National Grid;
 - ii) Volume, area and location of the works, including temporary activities such as stockpiles.
 - iii) Time of works.
 - iv) Site remediation.
 - v) The use of mobile machinery near the National Grid.
 - vi) Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001).

1.3.4 Assessment of Discretionary Activity Applications

- A) In assessing discretionary activities **Council** will have regard to matters including the following:
- i) Subject to Part II of the Act, the matters specified in Section 104 of the Act.
 - ii) Compliance or otherwise with standards applying to similar permitted or controlled activities.
 - iii) The environmental results sought by this Plan for the zones concerned.
 - iv) Any potential detraction from the **amenities** of the area through odour, smoke, noise, or other noxiousness whether from the operation itself or any ancillary aspect.
 - v) The degree to which proposed buildings would detract from the visual amenities of the area.
 - vi) Parking needs will be assessed against staff numbers, likely numbers of patrons and their mode of travel. Regard will be had to how often it is used, the availability of on-street parking, and the impact of using on-street parking upon other users of the road.
 - vii) Vehicle crossings shall be assessed in terms of the sight distance and driveway spacing guidelines contained in Appendix **3B.3, 2C (Page 194)**, and the seal widening and formation standards contained in Appendix **3B.3, 2E (Page 200)**.
 - viii) Whether there is sufficient and adequate provision for the collection or disposal of solid waste, including tailings.
 - ix) The degree to which any waste treatment ponds are adequately separated from other activities, taking into account topography, type of waste to be treated, wind direction, tree planting and existing vegetation and the location and number of existing and future dwellings likely to be affected by such ponds.
 - x) Compliance or otherwise with any relevant NZ Standards, regulations or Industry Guidelines.
 - xi) Any danger to people from hazardous goods and natural hazards, including any risk assessments, contingency plans and proposals to mitigate such hazards.
 - xii) The potential possibility of any animals escaping on to adjoining properties, roads, or public places.
 - xiii) Whether any exterior lighting is to be used or installed which would tend to annoy people nearby.
 - xiv) The effect of the proposal on the heritage values and preservation of any place or object listed in Appendices 1A to 1F (Pages 174-186), or upon the heritage significance of any **natural area** in terms of the criteria in Appendix 1I (Page 189).
 - xv) Whether the proposal would have an adverse impact upon any of the outstanding landscapes identified by this Plan (Refer: Part 4.3.3, Page 19).
 - xvi) Any detrimental effect of the proposal upon the operation or future development of any other existing permitted use in the vicinity. This includes whether the proposal requires a level of amenity which is incompatible with the operation and management of any such permitted use.
 - xvii) Any potential adverse effects of the proposal upon the life supporting capacity of soils, or upon options for their future use, due for example to compaction, fragmentation of ownership, soil removal, coverage or risk of contamination.
 - xviii) For quarrying and gravel extraction:
 - a) The techniques to be used in the operation.

- b) The likely duration of the quarrying or extraction.
 - c) Restoration and the ultimate use of the site.
 - d) Adequate set-back and separation distances from roadways and adjoining uses, for visual amenity reasons and for noise attenuation.
- xix) The degree of separation proposed between any **building** or pen housing animals and any building, boundary or road. **Council** may increase or relax the separation distance where on the grounds of public health, amenity, intensity of use, odour, visibility, noxiousness or other reasons it is appropriate to do so. The separation distances proposed by the Pork Industry Board's Code of Practice shall be used as a guideline for assessing the adequacy of separation around any proposed **pig farming** operation.
- xx) In relation to **service stations**:
- a) The extent to which the proposal will be screened from adjacent residential uses by landscaping or fencing.
 - b) The effect of any access points on traffic safety and efficiency.
 - c) The extent to which lighting will be managed to avoid nuisance on residential properties.
 - d) Whether vehicle parking and manoeuvring can be accommodated on site.
 - e) The extent to which **signs** comply with general controls in the zone concerned.
 - f) The adequacy of proposals to collect and deal with potentially contaminated stormwater.
 - g) The extent to which the proposal is likely to have an effect on the amenities sought by the objective for the zone concerned.
- xxi) In relation to **industries** in the Business zone:
- a) The nature and scale of the proposed use having regard to the long term use of the site for central area commercial development.
 - b) The design and layout of any new building, and its ability to be refurbished for future commercial use.
- xxii) In relation to additions or alterations to **buildings** within the Air Noise Area, the degree to which the adverse effects of aircraft noise will be mitigated through building construction methods to achieve a satisfactory internal noise environment.
- xxiii) In relation to new buildings within the Inner Control Area or the Outer Control Area, the degree to which the adverse effects of aircraft noise will be mitigated through building construction methods which meet the following noise insulation ratings plus a 5dBA safety margin:
- Buildings to which Appendix 3A - **Schedule P** applies - 20 decibels
 - Buildings to which Appendix 3A - **Schedule Q** applies - 25 decibels
 - Buildings to which Appendix 3A - **Schedule R** applies - 30 decibels
- xxiv) In relation to the rural subdivisions listed as a discretionary activity under Rule C1 1.3.1 A) ii) (Page 152):
- a) The need to provide a degree of separation between future dwellings by maintaining a minimum allotment size of around 4000 m².
 - b) The need for such allotments to still meet the standards in Rules C2 2.4.1 F) to K) inclusive.
 - c) The effect of the proposed subdivision on potential future urban growth, including the feasibility of future roading patterns.

- xxv) ~~[Deleted PC55]
In relation to **utilities**:~~
- ~~a) Whether the proposed utility can be sited next to or share an existing utility site in order to minimise its effects.~~
 - ~~b) Whether the proposed location, site or route is better than the alternative locations, site or routes.~~
 - ~~c) Whether the proposed facility will affect the performance of other **utilities** nearby.~~
 - ~~d) The potential effect of the facility on the health and safety of nearby residents.~~
 - ~~e) The benefits of the facility to the community.~~
- xxvi) In relation to Rural and Flood Channel zone subdivisions in the coastal area under Rule C1 1.3.1 A) iii), (Page 152):
- a) The potential for natural hazards, including sand inundation, erosion and the possibility of future sea level rise.
 - b) Potential impacts upon the natural character and landscape values of the coastal area, including the ecological value of the Rangitikei River estuary, and upon any **heritage places**.
 - c) River control and drainage limitations, and the need to satisfactorily dispose of domestic effluent.
 - d) The need to still comply with the Plan's averaging formula for rural allotments.
- xxvii) In relation to access, where common access to eight or more dwellings is to be provided, this access must be a new legal road, to be formed to Council's standards.
- xxviii) ~~[Deleted PC55]
In relation to relocated buildings:~~
- ~~a) The design and appearance of the building, and its compatibility with other buildings nearby and the neighbourhood generally.~~
 - ~~b) The need for structural repairs to the building, including borer treatment.~~
 - ~~c) The bulk and location of the building in relation to the usual requirements for the zone.~~
 - ~~d) Work associated with the reinstatement of the building. Unless **Council** dispenses otherwise, such work shall be completed within six months from the date of the issue of a building consent. **Council** will require a cash bond, which is sufficient to cover the cost of the works involved in bringing the exterior appearance of the building up to standard, to ensure that this work is done.~~
 - ~~e) The precise location of relocated heritage buildings within their new site and the retention of any architectural features or other important part of the building's fittings.~~
- xxix) In relation to subdivisions within any of the Growth Precincts, that do not comply with the minimum lot size and/or minimum lot frontage standard in (Rule C2 2.1.1A), the
- a) The extent of non-compliance.
 - b) The design and outcome of the proposed residential block layout and local street network, including:
 - The recognition of the topographic and physical features of the site and surrounds;
 - The provision of open space including retirement of steep hillsides, gully systems, esplanade reserves and local purpose reserves;

- The use of residential density that integrates into the landscape;
 - The extent of through roads within the subdivision and linkages within the Growth Precinct; and
 - The level of accessibility for future lot owners.
- c) The character and amenity anticipated by the subdivision design using positive features of established urban areas.
- d) The ability of larger lots (2,000m² and greater) to be further subdivided in the future to a size and form that creates good quality outcomes.
- e) The provision of infrastructure and roading networks, for the current and anticipated future demand, including future intensification if larger lots are created.

RULE A2 – RULES APPLYING THROUGHOUT THE DISTRICT

NB – Words outlined in bold type in the District Rules have a specific definition contained in Rule E – Pages 165-173.

2.1 NON-COMPLYING ACTIVITIES (REFER PART 0.10, PAGE VIII))

Any subdivision or land use activity which is not categorised by this Plan as being a permitted, controlled, discretionary, restricted discretionary, or prohibited activity shall be a non-complying activity.

2.2 TEMPORARY ACTIVITIES (REFER POLICY 4.2 D), PAGE 12)

NB- Some of the activities listed below may also require consent from the **Regional Council**.

2.2.1 Definition

- A) For the purpose of this rule “temporary activity” means any short-term use of land for any of the following purposes:
- i) ~~Construction, scaffolding, builders’ storage yards, builders’ workshops and activities of similar character which are incidental to a construction project.~~
 - ii) ~~Construction associated with a private hobby that is not a commercial enterprise (such as building a boat).~~
 - iii) ~~Sporting events, public meetings, galas, market days, and recreational and festive events.~~
 - iv) ~~**Street users.**~~
 - v) ~~Demolition and/or removal of **buildings**, except those buildings subject to Rule A2 2.3 (Pages 98-100).~~
 - vi) ~~Any temporary storage of goods or materials.~~
 - vii) ~~Motor Caravan Rallies, except if sited in the **Air Noise Area**~~
 - viii) ~~Temporary buildings~~
 - ix) ~~Military training activities.~~
 - x) ~~In the Rural zone or Flood Channel zone, operation of a **portable sawmill** or portable gravel crusher.~~
 - xi) ~~**Signs** for electioneering purposes.~~
 - xii) ~~Any sign advertising the disposal of the land or premises upon which it is situated.~~
 - xiii) ~~Signs advertising community events within the District such as galas, fetes, parades, fund raising or school reunions.~~
 - xiv) ~~Temporary signs including warning signs, erected on a construction or demolition site, stating the name of parties involved in the construction or demolition.~~

2.2.2 Permitted Activities

Temporary activities shall be permitted activities in all zones, provided that they comply with the standards in Rule 2.2.3 below.

~~NB: Consent from the road controlling authority is also required for any work within the road reserve.~~

2.2.3 Standards for Permitted Activities

- ~~A) Activities incidental to construction or demolition:~~
- ~~i) Shall be limited either to the duration of the project or to a period not exceeding 12 months, whichever is the lesser.~~
 - ~~ii) Noise emission must meet the relevant requirements of NZ Standard 6803P: 1984, except in regard to emergency construction work.~~
 - ~~iii) All demolition materials and debris shall be removed from the site within two months of the demolition being completed.~~
- ~~B) Sporting events, public meetings, galas, market days, and other recreational and festive events:~~
- ~~i) Hours of operation 7am – 10pm.~~
 - ~~ii) Duration: not exceeding two days.~~
- ~~C) Any temporary storage of goods or materials – Maximum duration 6 months.~~
- D) Temporary **buildings** (including tents, mobile homes and prefabricated buildings) must:
- be readily moveable and
 - meet any **yard** requirements of this Plan and
 - must be removed from the site within 6 months of the commencement of the activity and
 - not occupy a site for more than one 6 month period in any 12 months.
- ~~E) **Portable sawmills** or portable gravel crushers shall not be located within 100 metres of a neighbouring dwelling and shall not operate during more than four months of any year on any one **site**.~~
- ~~F) Temporary **signs** shall not be located on roads, except for those associated with **street users**. No signs shall be larger than 3m². Signs shall not detrimentally affect traffic safety or traffic control by creating a visual obstruction or confusing motorists. Signs shall not be structurally unsound or unsafe. If signs are illuminated they shall be non-flashing.~~
- ~~G) Temporary signs for events and electioneering shall only be permitted in the two month period prior to the event or election, and shall be removed no later than one week after the event or election.~~

2.2.4 Discretionary Activities

- A) Any permitted activity specified above which does not comply with any of the relevant standards in Rule 2.2.3 above shall be a discretionary activity.
- B) The matters set out in Rule A1 1.3.4 (Page 94) will be taken into account in assessing applications for discretionary activities.

2.3 [DELETED PC46]

2.4 **DELETED PC55**

PARKING STANDARDS

2.4.1 Assessment Of Car Parking Requirements

- A) Where two or more buildings on a **site** are unlikely to be used at the same time, parking will be calculated in relation to the building having the greatest requirement.
- B) For a multi-purpose site where all facilities may be used at one time, the total parking requirements for each facility will have to be provided.
- C) Any fraction under one half resulting from parking space calculations shall be disregarded. Fractions of one half or more shall be counted as one parking space.
- D) Parking requirements based on staff numbers shall be calculated from full-time equivalent staff members for the activity concerned.

2.4.2 Parking and Manoeuvring Spaces, and Access

- A) Every parking space shall be provided with the necessary manoeuvring space and access from and to the road.
- B) Manoeuvring space and parking spaces must comply with the minimum dimensions set out in Appendix 2A (Page 191).
- C) Where six or more parking spaces are provided on a **site**, sufficient space shall be provided to ensure that no reverse manoeuvring onto or off a road is needed.
- D) Parking spaces shall be located off the street or road.

2.4.3 Change Of Use Or Additional Development

Where a change of use occurs requiring a higher standard of car parking or where the floor area of a building is increased, additional car parking will be required in terms of the Plan's standards.

2.4.4 Formation and Screening Of Parking Areas

- A) All parking spaces required by this Plan (except those for **dwelling units**) must be formed, surfaced and marked out to the **Council's** standard. Formation shall be seal, concrete or other hardstanding in urban zones and hardstanding or gravel in the Rural zones.
- B) Parking areas adjoining land zoned Residential shall be screened from residential sites by a solid screen wall or fence at least 1.5m high unless the parties agree to some alternative form of screening.

2.4.5 Parking Standards For Permitted and Controlled Activities In All Zones

Dwelling units and Family Flats:	1 park for the first dwelling unit plus 2 for every flat or unit thereafter.
Housing for the elderly:	1 park for every three units.
Specialist services, veterinary clinics and veterinary hospitals	1 park per staff member, plus 2 additional patient parks per practitioner.
Home Occupations:	In addition to parking associated with the dwelling – 1 park per staff member.
Retail sales from Home Occupations and from Craft Workshops and Studios	At least 4 parking spaces.
Pre-Schools and Day Care Centres	1 park per staff member, plus 1 park per 4 clients if parental supervision is a requirement.
Primary Schools	0.7 of a park per staff member.
Secondary Schools	0.7 of a park per staff member plus 1 park per 20 students.
Places of Assembly, Marae and Tertiary Education Facilities	1 park per 10m ² gross floor area.
Funeral premises:	Chapels – 1 park for every 10 seats Other rooms – 1 park per 65m ² gross floor area.
Travellers' Accommodation	1 park per motel unit or 1 park for every 4 beds.
Boarding Houses	1 park for every 4 beds plus 1 park for every 2 staff employed.
Hospitals	0.7 parks per bed.
Catteries	At least four parking spaces.

Homes for the Aged	1 park for every 4 beds plus 1 park for every 2 staff employed.
Offices	
Shops (except supermarkets and shopping malls)	
Garden Centres	1 park per 40m ² gross floor area.
Libraries	
Commercial services & printing	
Motor Vehicle Showrooms (office space only)	1 park per 40m ² gross floor area
Supermarkets and shopping malls	1 car park per 25 m ² gross floor area
Restaurants	1 car park per 4 seats.
Hotels and Taverns	1 car park per 6 people for up to 150 people (designed to be accommodated).
	1 car park per 5 people for up to 151-200 people (designed to be accommodated);
	1 car park per 4 people for up to 201-250 people (designed to be accommodated);
	1 car park per 3 people for over 250 people (designed to be accommodated).
Service stations	4 parks per lubrication and service bay.
Factories	1 car park per 100m ² gross floor area.
Warehouse or storage buildings	1 car park per 200m ² gross floor area.
Storage yards	1 car park per 4 staff members.
Large format retail activity exceeding 2,000m² gross floor area	1 car park per 25m ² gross floor area

2.5 **[DELETED PC55]**

UTILITIES (REFER PART 10, PAGE 81)

NB—The provisions contained in this section shall be the only provisions that apply in respect of **utilities** and to that extent shall override all other provisions in this Plan.

NB—Some of the activities listed below, particularly those marked with “**MWRG**” may also require consent from the **Regional Council**

2.5.1 Permitted Activities

- A) The following **utilities** shall be permitted activities throughout the District, provided that they comply with the standards in Rule 2.5.3 below:
- i) The operation, maintenance, **minor upgrading** or repair of **utilities** existing as at 1 August 1998, and any ongoing maintenance or repair of utilities for which resource consent has been granted.
 - ii) Construction, operation, and upgrading of **roads** and railways within the existing road reserve or railway.
 - iii) Realignment of existing roads or railways. **MWRG**
 - iv) **Underground pipes, cables and lines**, and necessary incidental equipment including pump stations.
 - v) Navigational aids, lighthouses and beacons.
 - vi) Transformers and lines and associated equipment for conveying electricity up to and including 110kv, with a capacity up to and including 100 MVA per circuit.
 - vii) Upgrading of transformers and lines for conveying electricity of over 110kv, with a capacity exceeding 100 MVA per circuit, provided that this upgrading does not include any increase in the voltage of the line unless the line was originally constructed to operate at the higher voltage but has been operating at a reduced voltage.
 - viii) Soil conservation and river control works. **MWRG**
 - ix) Land drainage, stormwater control or irrigation works including pump stations. **MWRG**
 - x) Railway crossing warning devices and barrier arms.
 - xi) Trig stations and survey marks.
 - xii) **Radiocommunication and/or telecommunication facilities**
 - xiii) Meteorological instruments and facilities.
 - xiv) Fire Stations
 - xv) Recycling depots with a gross area of less than 20m².
 - xvi) Water storage tanks, reservoirs and wells, including pump stations.

NB: Consent from the road controlling authority is also required for any work within the road reserve.

2.5.2 Controlled Activities

- A) The following **utilities** shall be controlled activities within Industrial, Village and Rural zones, provided that they comply with the standards in Rule 2.5.3 below:
- i) Refuse transfer stations.
 - ii) Recycling depots with a gross area of over 20m².

B) The matters over which **Council** has reserved its control and in respect of which conditions may be imposed are set out in Rule A1 1.3.1 (Page 90).

2.5.3 Standards for Permitted and Controlled Activities

A) In Residential and Village Zones

i) New masts and buildings shall not exceed a maximum **height** of 9 metres. Buildings other than **masts** shall comply with the height plane requirements in Rule B1 1.3.1 B) ii) (Page 109).

NB These height requirements shall not apply to **antennas** or lightning conductors which do not exceed a height of 3m above the height of the building or the mast upon which they are sited.

ii) No mast or building shall be closer than 5 metres to any **site** boundary. This 5m **yard** shall not apply to utility buildings with a floor area of less than 10 m², or to overhead lines and cables including any support structures. This 5m **yard** also shall not apply to **masts** in respect of the road boundary of the site concerned.

iii) Any **radiocommunication and/ or telecommunication facility** shall be designed and operated so as not to emit radio frequency emissions in excess of the maximum non-occupational exposure levels prescribed by NZ Standard 6609:1990, on the basis of measurements undertaken in accordance with the Standard's principles and methods of measurement.

iv) Noise from any building or fixed equipment (excluding warning devices and construction noise) shall not exceed the following noise limits, at any point within the boundary of any other **site** in the Residential zone or Village zone.

7am to 10pm Monday to Saturday	45dBA L ₁₀
At all other times	35dBA L ₁₀ and 55 dBA
	L _{max}

Sound levels shall be measured in accordance with NZ Standard NZS 6801:1991 Measurement of Sound, and assessed in accordance with NZS 6802:1991, Assessment of Environmental Sound.

v) Where network **utilities** or associated structures are located underground, the ground surface and any vegetation disturbed shall be reinstated or replaced as soon as possible.

vi) No dish **antenna** shall exceed a diameter of 2.5 metres.

vii) Where construction work associated with any network utility is done within any legal road, the person responsible for that work shall notify the road controlling authority of the proposed work at least 10 working days before starting the work.

viii) Works associated with a **utility** shall not disturb any **heritage place** listed in this Plan.

ix) Exterior lighting shall be directed away from public places and adjoining premises, and shall avoid any spill of light which might distract motorists.

x) Metal cladding or fences shall not be left in such a condition that the reflection of sunlight would cause annoyance or traffic danger.

xi) At all road/rail level crossings the areas shown in Appendix 2F (Page 202) shall be kept clear of buildings and of other obstructions which might block sight lines.

xii) Refuse transfer station sites shall be at least 100 metres from the nearest dwelling.

xiii) Refuse transfer stations and recycling depots shall be fenced to contain any possible windborne debris.

B) In Zones Other than Residential and Village

i) Buildings shall comply with the relevant yard and height requirements for the zone in which they are located.

These yard requirements shall not however apply to utility buildings with a floor area of less than 10 m², or to masts with a height of 9m or less. These height requirements shall not apply to overhead lines and cables including support structures (e.g poles or towers), or to masts with a height of 9m or less.

ii) The following yard requirements shall apply to masts with a height of 9m or less:

a) On sites in Rural or Flood Channel zones:

Side Yards – 5m

Rear yards – 5m

Front yards – Nil

b) On sites in Business, Industrial or Recreation zones:

5m from any adjoining site zoned Residential, Village, Rural, Recreation or Flood Channel.

iii) **Masts** shall have a maximum height of 20 metres.

iv) The height requirements in i) and iii) shall not apply to antennas or lightning conductors which do not exceed a height of 3m above the height of the building or the mast upon which they are sited.

v) Masts with a height of more than 9m shall not be located within 30 metres of the notional boundary of any dwelling, **place of assembly** or educational facility.

Note: In this rule the notional boundary is defined as a line 20 metres from:

- the exterior wall of any dwelling,
- the exterior wall of any building used as an educational facility,
- the exterior wall of any building used as a place of assembly, or
- the legal boundary where this is closer to the dwelling, educational facility or place of assembly concerned.

vi) Masts with a height of more than 9m shall not be located within 20 metres of any boundary of any site zoned Residential, Village, Rural, Recreation or Flood Channel.

vii) Masts with a height of more than 9m located on any site zoned Rural or Flood Channel shall not be located within 20 metres of any road.

viii) Any **radiocommunication and/ or telecommunication facility** shall be designed and operated so as not to emit radio frequency emissions in excess of the maximum non-occupational exposure levels prescribed by NZ Standard 6609:1990, on the basis of measurements undertaken in accordance with the Standard's principles and methods of measurement.

ix) No dish **antenna** shall exceed a diameter of 5 metres.

x) Noise from any building or fixed equipment (excluding warning devices and construction noise) shall not exceed the following noise limits, at any point within the boundary of any **site** zoned Village or Residential or at or within the notional boundary of any dwelling in a Rural zone:

7am to 10 pm, Monday to Saturday – 55dBA L₁₀

At all other times – 45 dBA L₁₀ and 65 dBA L_{max}

Sound levels shall be measured and assessed in accordance with New Zealand Standards 6801:1991 Measurement of Sound and NZS 6802:1991 Assessment of Environmental Sound.

Note: The notional boundary is defined in NZS 6802:1991 as a line 20 metres from the facade of any rural dwelling, or the legal boundary where this is closer to the dwelling.

- xi) Where network **utilities** or associated structures are located underground, the ground surface and any vegetation disturbed shall be reinstated or replaced as soon as possible.
- xii) Where any construction work associated with any network utility is done within any legal road, the person responsible for that work shall notify the road controlling authority at least 10 working days before starting the work.
- xiii) Works associated with a **utility** shall not disturb any **heritage place** listed in this Plan.
- xiv) Exterior lighting shall be directed away from public places and adjoining premises, and shall avoid any spill of light which might distract motorists.
- xv) Metal cladding or fences shall not be left in such a condition that the reflection of sunlight would cause annoyance or traffic danger.
- xvi) At all road/rail level crossings the areas shown in Appendix 2F shall be kept clear of buildings and of other obstructions which might block sight lines.
- xvii) Recycling depots shall be fenced to contain any possible windborne debris.
- xviii) Refuse transfer stations shall be located at least 100 metres from the nearest dwelling.

2.5.4 Restricted Discretionary Activities

- A) Any permitted or controlled activity specified above which does not comply with any of the relevant standards in Rule A2 2.5.3, shall be a restricted discretionary activity.
- B) In assessing applications for restricted discretionary activities **Council** has reserved its control over the matters listed in Rule A1 1.3.3 (Page 93).

2.5.5 Discretionary Activities

- A) List of Activities

Utilities not otherwise specified as permitted, controlled or restricted discretionary activities shall be discretionary activities throughout the District.

- B) Criteria for Assessment

The above discretionary activities will be assessed in terms of the criteria in Rule A1 1.3.4 (Page 94).

2.6 SURFACE WATER ACTIVITIES

(Refer Part 4.9, Page 32)

2.6.1 Permitted Activities

- A) All recreational and boating activities other than those listed as discretionary activities shall be permitted activities on the District's lakes and rivers, provided that they meet the standard below.
- B) No person shall cause excessive noise by accelerating or racing the engine of a motorised craft while the craft is stationary.

2.6.2 Standard for Permitted Activities

- A) No motorised craft on the surface of a lake or river shall cause excessive noise due to the lack of a silencing device, the disrepair of the engine, or the construction or condition of any part of the craft or its machinery.

2.6.3 Discretionary Activities

- A) The following shall be discretionary activities:
 - i) Sites for competitions involving motorised craft and held more than twice per year.
- B) The matters set out in Rule A1 1.3.4 (Page 94) will be taken into account in assessing discretionary activities.

2.7 BYLAWS

2.7.1 District Rules to Prevail Over Bylaws

- A) Where any Rule in this Plan is inconsistent with the provisions of any bylaw, the provisions of the Rule shall prevail.

2.8 DESIGNATIONS AND ROADS

2.8.1 Public Works Designations

- A) The public works designations applying under this Plan are shown on the Planning Maps and listed in Appendix 7. (Pages 224-233).
- B) The requiring authority may do anything on designated land that is in accordance with the designation, and no other person may do anything in relation to the land without the prior written consent of the requiring authority. (Section 176(1) of the Act).
- C) The rules of this Plan shall apply in relation to designated land to the extent that the land is used for purposes other than the designated purpose. (Section 176(2)) The zoning which will apply is shown in Appendix 7A. In respect of highway and railway designations the zoning shall be the same as that of the adjoining land. If the zoning on opposite sides of the road or railway is different, the centreline shall be the zone boundary.

2.8.2 **[Deleted PC55]**

Zoning of Roads

- A) ~~Roads other than State Highways are not designated under this Plan and are zoned instead. The zoning of roads shall be the same as that of the adjoining land. If the zoning on opposite sides of the road is different, the road centreline shall be the zone boundary.~~

RULE B - ZONING STANDARDS

RULE B1 – RESIDENTIAL ZONE

(Refer Part 4.4, Page 23)

NB – Words outlined in bold type below have a specific definition contained in Rule E (Pages 165-173).

1.1 PERMITTED ACTIVITIES

1.1.1 List of Activities

- A) The following shall be permitted activities in the Residential zone, including activities ancillary thereto, provided that they comply with the standards in Rule 1.3 below:
- i) One **dwelling unit**, on **sites** of over 350 m² (**net site area**).
 - ii) Two dwelling units on sites of over 700 m² (net site area).
 - iii) One or two **housing for the elderly** units.
 - iv) **Specialist services** if no more than two persons not resident on the site are involved in operating the service.
 - v) **Home occupations**.
 - vi) **Education facilities** and **day care centres**.
 - vii) **Places of assembly** with less than 150 m² **gross floor area**.
 - viii) Reserves and ancillary **buildings** with less than 150m² gross floor area.
 - ix) **Accessory buildings**, except within 4.5m of a road boundary.
 - x) [deleted]
 - xi) **Signs** which comply with Rule **3E.4.1, B1 1.3.6**.
 - xii) Formation of vehicle crossings onto **roads**. NB: Consent from the road controlling authority is required for vehicle crossings onto Limited Access Roads.
 - xiii) **Earthworks** **which comply with Rule 3D.4.1 and 3D.4.2, ancillary to permitted activities or to approved controlled, restricted discretionary or discretionary activities. NB: for specific earthworks provisions in the National Grid Yard, refer to Rule B1 1.3.5.**
 - xiv) **Residential Care Homes**

1.2 CONTROLLED ACTIVITIES

1.2.1 List of Activities

- A) The following shall be controlled activities in the Residential zone, provided that they comply with the standards in Rule 1.3 below:
- i) **[Deleted PC55]. Relocating previously used buildings from another site.**
 - ii) **Accessory buildings** within 4.5m of a road boundary.
 - iii) One **dwelling unit** on a **site** of 250m² - 350m² (**net site area**).
 - iv) Two dwelling units on a site of 500m² - 700m² (net site area).
 - v) More than two dwelling units on any site.
 - vi) More than two **housing for the elderly** units on any site.
 - vii) Buildings on land identified as subject to inundation in Appendix 6A.

1.2.2 Criteria for Assessment

- A) The matters over which **Council** has reserved its control and in respect of which conditions may be imposed are set out in Rule A1 1.3.1 (Page 90).

1.3 STANDARDS FOR PERMITTED AND CONTROLLED ACTIVITIES

1.3.1 Dwellings and Accessory Buildings

A) Site Coverage

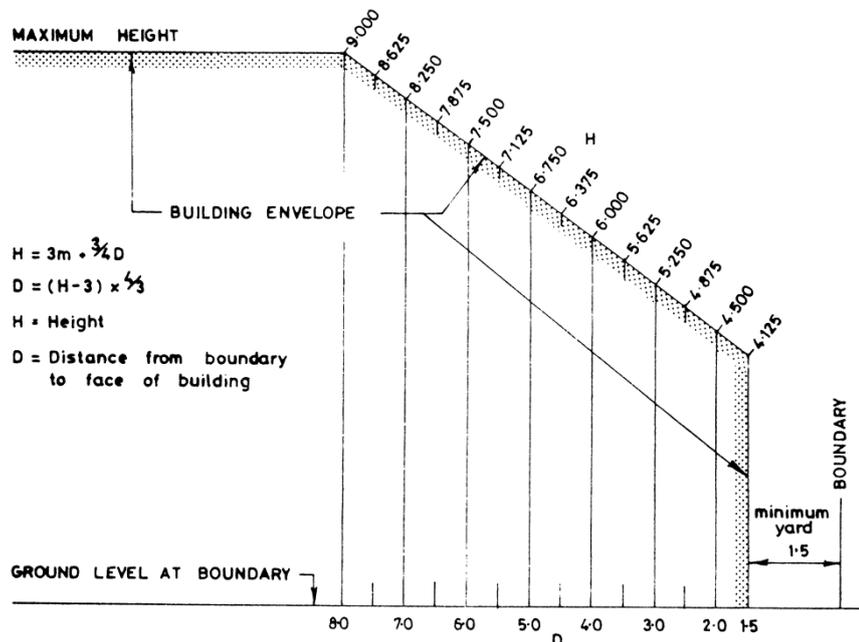
Maximum **site coverage** 35%.

Where garage accommodation is not shown as part of the proposed site development an allowance of 18m² per **dwelling unit** shall be made in calculating **site coverage**.

B) Building Envelope

- i) Maximum **Height** - 9m
- ii) No part of any **building** shall exceed a **height** equal to 3m plus three quarters of the shortest horizontal distance between that part of the building and the nearest **site** boundary. (Diagram B below).

DIAGRAM B – HEIGHT REQUIREMENTS



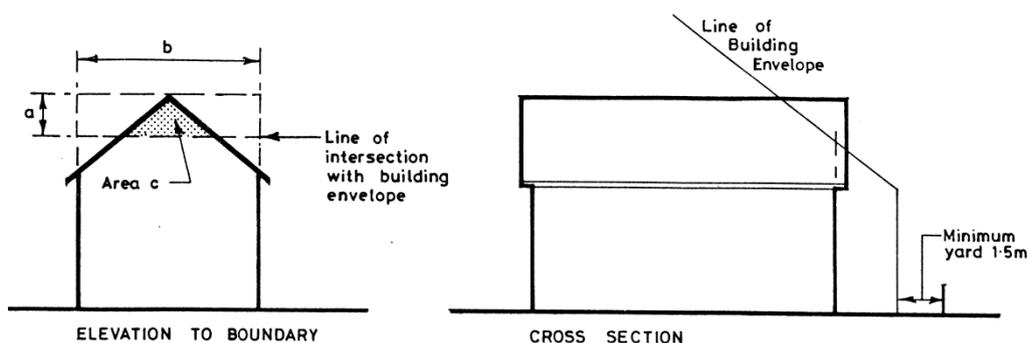
HEIGHT REQUIREMENTS – RESIDENTIAL

Scale 1 : 100

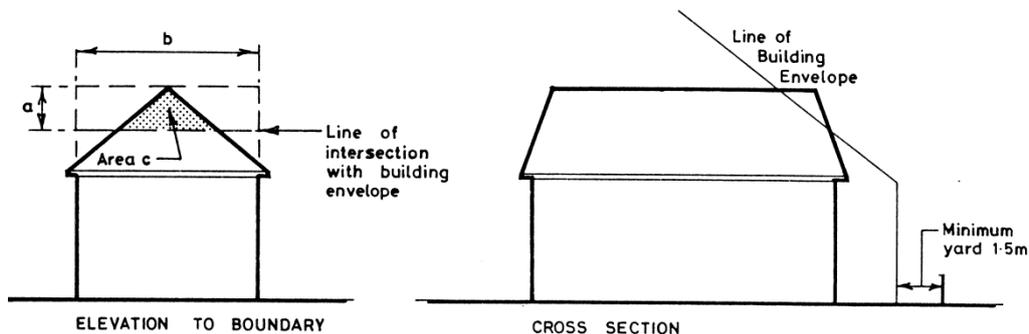
- iii) Except that the following parts of a building may penetrate beyond the building envelope produced by B) i) and ii) above:
 - a) The eaves, or overhang in the case of a gable end, up to 0.6m.

- b) Those parts of buildings excluded from the definition of “height” (Rule E, Page 167).
- c) The upper portion of any roof or gable end, if the total area of that part of the building above the building envelope does not exceed 25% of the area produced by the total width of that part of the building (Shown as b) in Diagram C below), multiplied by the distance between the building envelope and the ridge (Shown as a)).

DIAGRAM C- BUILDING ENVELOPE PROTRUSIONS
GABLE END



HIPPED ROOF



Maximum permitted area $c = \frac{a \times b}{4}$ ie. 25 %

C) Yards

i) Front yards

- a) 1.2m for **accessory buildings** within 4.5m of a road boundary, provided that not more than 30% of the road frontage shall be occupied by the building.
- b) 4.5m for other buildings.

ii) **Side Yards** - 3m and 1.5m for dwellings, provided that if vehicular access to the rear of the **site** is provided elsewhere or garaging is built as part of the dwelling unit the 3m yard may be reduced to 1.5m. Side yards for **accessory buildings** shall be 1m.

iii) **Rear Yards** - 3m for dwellings, 1m for accessory buildings.

iv) **Yards for Rear Sites** - 3m for dwellings, 1m for accessory buildings.

v) [deleted]

vi) Setbacks from Road / Rail Crossings, the Makino Stream and the Oroua River, and the National Grid Yard shall apply - Refer Rule B1 1.3.5, Page 115.

D) Outdoor **Living Courts**

- i) Every ground floor dwelling unit shall have an outdoor **living court**. This court shall be:
 - a) At least 36m² in area.
 - b) Capable of containing a circle 6m in diameter.
 - c) Located adjacent to the **main living area** of the dwelling.
 - d) Oriented east, north or west of the dwelling.
 - e) For the exclusive use of the dwelling and free of access to other units, driveways, manoeuvring areas, parking spaces and accessory buildings.
- ii) In the case of dwelling units exclusively above ground floor level at least 36m² of land on the **site** shall be set aside for outdoor living associated with each unit.

E) Outdoor **Service Courts**

- i) Each dwelling unit shall have an outdoor **service court** adjoining either the unit or its outdoor **living court**. Such a court shall be not less than 20m² in area, of least width 3m, and free of driveways and manoeuvring areas.
- ii) Part of the **service court** may be combined with the service court of other dwelling units on the **site**, if a more useful service area will result.

F) Access ~~to Arterial Routes and Intersecting Roads.~~~~Compliance with Rule 3B.4.2 and Rule 3B.4.3.~~

- ~~i) Vehicle crossings constructed to the arterial routes defined in Appendix 2B (Pages 192 and 193) shall meet the following standards:

 - ~~a) The minimum sight distance to and from the vehicle crossing shall comply with the criteria in Appendix 2C.~~
 - ~~b) The location of the crossing shall comply with Appendix 2C.~~
 - ~~c) Use of the crossing shall not exceed 100 car equivalent vehicle movements per day, calculated using Appendix 2C.~~~~
- ~~ii) Vehicle crossings constructed to roads which intersect with the arterial routes defined in Appendix 2B shall be sited in accordance with Appendix 2C.~~

~~NB- Constructing vehicle crossings may also require the approval of the road controlling authority.~~

G) Parking

~~Compliance with Rule 3B.4.5.~~

~~Refer to Rule A2 2.4, (Page 100).~~

H) Visual **Amenities**

No activity shall involve keeping more than one **derelict vehicle** within view of neighbouring properties or a public place.

I) Glare

~~Compliance with Rule 3B.4.4.~~

- i) Exterior lighting shall be directed away from public places and adjoining premises and shall avoid any spill of light which might distract motorists.
- ii) Metal cladding or fences shall not be left in such a condition that the reflection of sunlight would cause traffic danger.

J) Deleted PC55

Access

Where common access to eight or more dwellings is to be provided, this access must be a new legal road, to be formed to Council's standards.

1.3.2 Additional Standards Applying To Multi-Unit Residential Developments

(These are used in assessing infill subdivisions and apply to any subsequent development of infill sites)

- A) The standards set out in Rule B1 1.3.1 above shall apply.
- B) Separation Distances Between Buildings on the Same Site
 - i) Between accessory buildings serving separate dwelling units - 1.8m (Diagram D). Except that any two or more accessory buildings serving separate dwelling units may be joined by a common party wall (Diagram E).

Diagram D

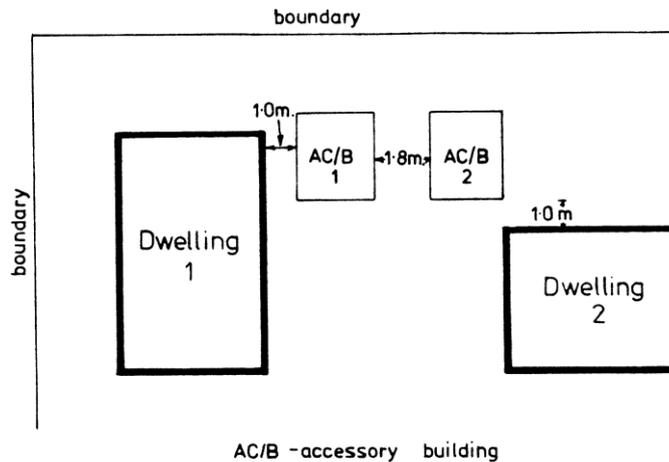
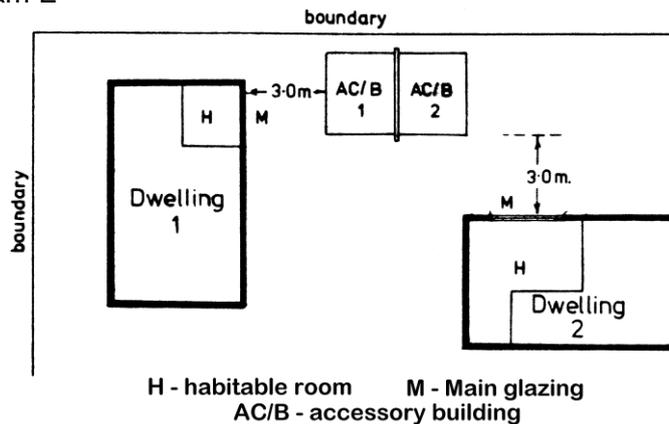
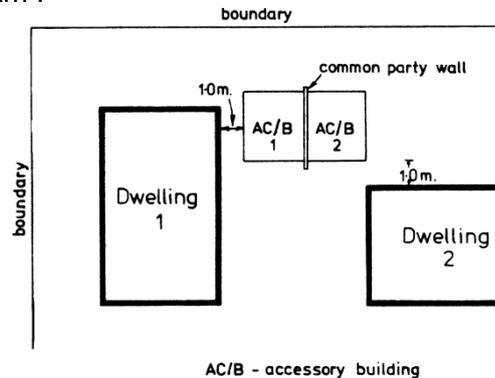


Diagram E



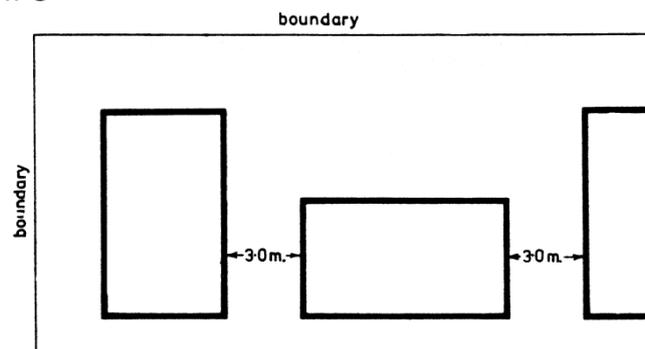
- ii) Between accessory building and related dwelling unit - 1m. Provided that the minimum separation distance between any accessory building and the main glazing to a **habitable room** shall be 3m (Diagram F).

Diagram F



- iii) Except in the case of dwelling units which are attached to each other, the minimum required separation distance between any two dwelling units shall be 3m (Diagram G).

Diagram G



C) Driveways and Garaging

- i) No **habitable room** shall be closer than 1.5m to a right-of-way, driveway, garage or similar area intended to carry or house vehicles associated with another dwelling unit.
- ii) Minimum width of shared access - 3m.

1.3.3 Standards Applying To Housing For The Elderly

A) Density

Not less than 180m² of land per **dwelling unit**.

B) Siting

Housing for the elderly shall comply with the requirements for multi-unit residential development except that Rule B1 1.3.2 B) shall not apply.

C) Outdoor **Living Courts**

Each unit shall have an outdoor **living court**. Such a court shall -

- i) Be free of access to other units, driveways, manoeuvring areas, parking spaces, and **accessory buildings**.
- ii) Relate to the main glazing of the **main living area**.
- iii) Be capable of containing a circle 5.0m in diameter.
- iv) Be oriented east, north or west of the dwelling.
- v) Be at least 25 m² in area.

D) Outdoor **Service Courts**

Every three units shall be provided with an outdoor **service court** adjacent to the units of not less than 20m² in area and at least 3m wide, free of driveways, manoeuvring areas, parking spaces and access to other units.

Where separate service courts are provided for each dwelling, the minimum area shall be 10m² per unit and the minimum width shall be 3 metres.

E) Parking

Refer to [Rule 3B.4.5](#), [Rule A2-2.4, Page 100](#).

1.3.4 Standards Applying To Home Occupations and Non-Residential Activities

A) **Site Coverage**

Education facilities and day care centres - maximum **site coverage** 35%.

B) **Height**

All buildings shall comply with Rule B1 1.3.1 B) (Page 109).

C) **Yards**

Primary and Secondary Schools	- Front yards 4.5m, other yards 6m.
Pre School and Day Care Centres	-Front yards 4.5m, other yards 3m.
Places of Assembly	-All yards 6m.
Buildings on Reserves	-All yards 4.5m.

Any **accessory building** used for a home occupation shall comply with the **yard** requirements in Rule B1 1.3.1 C) (Page 110), provided that on **front sites** or **corner sites** buildings for **home occupations** shall be located behind the front line of the **dwelling unit**.

D) **Retailing**

Only goods manufactured, grown or processed on the **site** may be retailed from the site.

E) Storage and Display

No equipment, raw materials, finished or partly processed products, or rubbish associated with a home occupation shall be stored or displayed outdoors.

F) Hours of Operation

Home occupations may operate only between the hours of 7 am and 10 pm.

G) Noise

Compliance with Rule 3C.4.2.

~~i) All activities shall be conducted so as to ensure that noise from the site shall not exceed the following noise limits, at any point within the boundary of any other site in the Residential zone:~~

~~7.00 am to 10:00 pm 45dBA L₁₀~~

~~10.00 pm to 7:00 am 35dBA L₁₀ and 55dBA L_{max}~~

~~ii) Sound levels shall be measured in accordance with New Zealand Standards NZS 6801:1991 Measurement of Sound and assessed in accordance with NZS 6802:1991 Assessment of Environmental Sound.~~

H) Parking

Compliance with Rule 3B.4.5.

~~Refer Rule A2 2.4, (Page 100).~~

I) Visual Amenities

No activity shall involve keeping more than one **derelict vehicle** within view of neighbouring properties or a public place.

J) Glare

Compliance with Rule 3B.4.4.

~~i) Exterior lighting shall be directed away from public places and adjoining premises and shall avoid any spill of light which might distract motorists.~~

~~ii) Metal cladding or fences shall not be left in such a condition that the reflection of sunlight would cause traffic danger.~~

K) Access to Arterial Routes

Compliance with Rule 3B.4.3.

~~Any access to arterial routes shall comply with Rule B1 1.3.1 F) (Page 111).~~

1.3.5 Special Yard Requirements

A) No **building** shall be erected within 20m of the top of the bank of the Oroua River or Kiwitea Stream.

- B) No building shall be erected within 10m of the top of the bank of the Makino Stream.
- C) No excavation, alteration or construction that alters the level of the land or may impede the flow of water shall be undertaken:
- i) Within 20m of the banks of the Oroua River or Kiwitea Stream or
 - ii) Within 10m of the banks of the Makino Stream.

This rule applies not only to excavations and filling but also to walls, retaining walls and semi-watertight fences.

- D) The precise location of the top of any bank will be determined by **Council** in consultation with the **Regional Council**.
- E) At all road/rail level crossings the areas shown in Appendix **3B.5 2F (Page 202)** shall be kept clear of buildings and of other obstructions which might block sight lines.
- F) Within the National Grid Yard in Growth Precinct 1 (Appendix 9A), the following shall apply:
- i) The following buildings and structures are permitted, provided that they comply with the conditions set out under Clause (ii) below:
 - a) any building which is a Network Utility within a transport corridor or any part of electricity infrastructure that connects to the National Grid;
 - b) fences and structures;
 - c) any farm buildings (including horticulture activities) except for any milking/dairy shed, commercial glasshouses, pens housing animals or building associated with intensive farming);
 - d) official sign required by law or provided by any statutory body in accordance with its powers under any law; and
 - ii) All buildings and structures permitted by i) above shall comply with the following conditions:
 - a) be located a minimum of 12m from the outer visible edge of a National Grid support structure (tower). All fences must be located a minimum of 5m from the support structure, network utility structure, road sign or safety sign; and
 - b) must not exceed 2.5m in height or 10m² in area; and
 - c) must achieve a minimum vertical clearance of:
 - i. 10m below the lowest point of the conductor (wires) associated with any National Grid line; or
 - ii. demonstrate compliance with the requirements of NZECP34:2001.
 - d) For existing buildings used for sensitive activities, any additions and alterations must not result in an increase in height or building footprint.
 - e) All fences must be 2.5m in height or less.

iii) Any earthworks undertaken:

- a) by a Network Utility Operator, or
- b) as part of agricultural or domestic cultivation, or
- c) repair, sealing or resealing of a road, footpath, driveway or farm track.

iv) Any other earthworks shall be permitted, where the following conditions are met:

- a) any earthworks do not exceed a depth (measured vertically) of 300mm within a distance measured 12 metres from the outer visible edge of any National Grid tower; and
- b) any earthworks do not create an unstable batter that will affect a transmission support structure; and
- c) any earthworks do not result in a reduction in the ground to conductor clearance distances below what is required by Table 4 of NZECP34:2001.

Note: Vegetation to be planted within the National Grid corridor must be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.

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 the lines. Compliance with the permitted activity standards of the Plan does not ensure compliance with the Code of Practice.

1.3.6 Signs In The Residential Zone

A) Signs

Compliance with Rules 3E.4.1 and 3E.4.2.

A) Signs Affecting Safety

- i) Signs shall not detrimentally affect traffic safety or traffic control by creating a visual obstruction or by causing confusion to motorists.
- ii) Signs shall not reduce or obstruct the conspicuity of **official signs** or traffic signals.
- iii) Signs shall not be structurally unsound or unsafe.
- iv) Any illuminated signs shall not be flashing, animated or trivision.
- v) Signs shall not involve revolving lights, lasers or aerial signs.

B) Signs on Roads

The only signs permitted on any part of a legal road in the Residential zone are:

- i) **Official signs.**
- ii) Not more than one “welcome to” sign erected at each entrance to a township.
- iii) Information boards.

~~NB— Signs on roads also need approval from the road controlling authority.~~

~~C) Signs on Private Property~~

~~All signs on private property in the Residential zone shall comply with the height controls in Rule B1 1.3.1B) (Page 109), and shall be limited to:~~

- ~~i) One sign not exceeding 0.3m² in area showing the number of any premises, the name of any dwelling unit or the location, time-table or other details of any utility or public facility.~~
- ~~ii) One sign not exceeding 1.2m² in area erected in connection with a reserve, place of assembly, marae, educational facility, hospital, or home for the aged.~~
- ~~iii) One sign not exceeding 0.2m² in area, bearing only the name, occupation or hours of business of the occupier of the building.~~
- ~~iv) One sign not exceeding 0.6m² erected in connection with travellers' accommodation.~~
- ~~v) Any temporary sign permitted by Rule A2 2.2. (Page 97).~~
- ~~vi) Signs not exceeding 0.6m² erected in connection with tourist publicity, or special information, or denoting places or points of special interest.~~

1.4 RESTRICTED DISCRETIONARY ACTIVITIES

- A) Except where otherwise specified by Rule B1 1.6, any permitted activity or controlled activity specified above which does not comply with any of the relevant standards in Rules B1 1.3.1 to 1.3.6 above shall be a restricted discretionary activity.
- B) In assessing applications for restricted discretionary activities **Council** has reserved its control over the matters listed in Rule A1 1.3.3 (Page 93).

1.5 DISCRETIONARY ACTIVITIES

1.5.1 List of Activities

- A) The following shall be discretionary activities in the Residential Zone:
 - i) **Travellers' accommodation.**
 - ii) **Boarding houses.**
 - iii) **Places of assembly** with a **gross floor area** of 150m² or more.
 - iv) **Marae.**
 - v) Hospitals, and **homes for the aged.**
 - vi) **Pantry shops** not exceeding 100m² gross floor area.
 - vii) **Garden centres.**
 - viii) **Restaurants.**
 - ix) Libraries.
 - x) **Specialist services** if three or more persons not resident on the **site** are engaged in operating the service.
 - xi) [deleted]
 - xii) **Service Stations**, on **sites** with frontage to an **arterial route.**
 - xiii) **Dwelling units** and **residential accommodation** not otherwise permitted by Rules B1 1.1, 1.2 or 1.4.

1.5.2 Criteria for Assessment

The matters set out in Rule A1 1.3.4 (Page 94) will be taken into account in assessing discretionary activities.

1.6 NON-COMPLYING ACTIVITIES

1.6.1 List of Activities

- A) The following activities shall be non-complying activities within the National Grid Yard in Growth Precinct 1 (Appendix 9A):
 - a) any building or structures that are not identified as a permitted activity under Rule B1 1.3.5 F);
 - b) any earthworks that do not comply with Rule B1 1.3.5 F) iii) b) or Rule B1 1.3.5 F) iii) c); and
 - c) the establishment of any new sensitive activity.

RULE B1A – DEFERRED RESIDENTIAL ZONING

The Deferred Residential Zoning applying to any land, or parcels of land, within the Growth Precinct 1 (Appendix 9A), Growth Precinct 2 (Appendix 9B), and Growth Precinct 3 (Appendix 9C) will be removed and replaced with the Residential Zone so that all Residential Zone provisions apply to that land (together with consequential changes to the relevant District Planning maps), on the passing of a Council resolution that there is an adequate reticulated water, stormwater and wastewater network either provided by the Council, or to the satisfaction of the Council, in respect of that land.

Provided that no Council resolution may be made in respect of any land in Growth Precinct 1, Growth Precinct 2 or Growth Precinct 3 until the following cumulative requirements are met:

- (a) The Council has reviewed, notified and made operative the Hazards chapter of the Plan, in accordance with RMA, Schedule 1 after 1 August 2014; and
- (b) The land subject to a 1 in 200 year flood event is identified in the Structure Plan for Growth Precinct 1, 2 and 3 as the case may be in respect of that land after 1 August 2014; and
- (c) The Deferred Residential Zone is not uplifted for any land within 100 metres of the KiwiRail Rail Corridor in Growth Precinct 3 until such time as the General and Utilities Chapter of the Plan has been reviewed, notified and made operative after 1 August 2014.

RULE B2 – VILLAGE ZONE

(Refer Part 4.5, Page 25)

NB – Words outlined in bold type below have a specific definition contained in Rule E (Pages 165-173). Some of the activities listed below may also require consent from the **Regional Council**.

2.1 PERMITTED ACTIVITIES

2.1.1 List of Activities

- A) The following shall be permitted activities within the Village zone, on **sites** without identified frontage shown on the Planning Maps, provided that they comply with the standards in Rule 2.3 below:
- i) One **dwelling unit**.
 - ii) **Home occupations**.
 - iii) [deleted]
 - iv) **Housing for the elderly**.
 - v) **Education facilities** and **day care centres**.
 - vi) **Places of Assembly** with less than 150m² **gross floor area**.
 - vii) Reserves, and associated toilets, changing rooms and implement sheds.
 - viii) Grazing, horticulture and orchards.
 - ix) **Specialist Services**.
 - x) **Accessory buildings**, except within 4.5m of a road boundary.
 - xi) Libraries.
 - xii) **Signs** which comply with **3E.4.1 and 3E.4.2. Rule B2 2.3.3.**
 - xiii) Formation of vehicle crossings onto **roads**. NB: Consent from the road controlling authority is required for vehicle crossings onto Limited Access Roads.
 - xiv) **Earthworks** **which comply with Rule 3D.4.1 and 3D.4.2. ancillary to permitted activities or to approved controlled, restricted discretionary or discretionary activities.**
 - xv) **Residential Care Homes**.
- B) The following shall be permitted activities within the Village zone, on **sites** with identified frontage shown on the Planning Maps, provided that they comply with the standards in Rule 2.3 below:
- i) The activities in A) above.
 - ii) **Shops**.
 - iii) **Places of Assembly**.
 - iv) Offices.
 - v) **Commercial Services**.
 - vi) **Light Industry**.
 - vii) Premises for the sale of boats, caravans, motor vehicles and farm equipment.
 - viii) **Marae**.
 - ix) Hospitals and **Homes for the Aged**.
 - x) **Travellers Accommodation**.
 - xi) **Boarding houses**.
 - xii) Hotels and Taverns.
 - xiii) **Restaurants**.
 - xiv) **Service Stations**.
 - xv) **Motor Caravan Sites**

For the purposes of this Rule, in respect of permitted activities on Pt Sec 20 Karere Block XIV Kairanga SD, (Longburn Service Station site) the identified frontage is limited to a depth of 32 metres from the SH56 frontage.

2.2 CONTROLLED ACTIVITIES

2.2.1 List of Activities

- A) The following shall be controlled activities within the Village zone, provided that they comply with the standards in Rule 2.3 below:
- i) Two or more **dwelling units** on the same **site**.
 - ii) ~~Deleted PC55]. Relocating previously used buildings from another site.~~
 - iii) **Accessory buildings** within 4.5m of a road boundary.
 - iv) **Motor Caravan Sites** on **sites** without identified frontage shown on the Planning Maps.

2.2.2 Extent of Control

- A) The matters over which **Council** has reserved control and in respect of which conditions may be imposed are set out in Rule A1 1.3.1.

2.3 STANDARDS FOR PERMITTED AND CONTROLLED ACTIVITIES

2.3.1 Dwelling Units and Housing for the Elderly

The permitted and controlled residential activities specified above and **accessory buildings** shall comply with the following standards:

- A) Density Control
- i) Maximum density - 1 **dwelling unit** per 500m² **net site area** in sewered areas.
 - ii) Maximum density - 1 dwelling unit per 800 m² net site area in unsewered areas.
 - iii) Maximum **site coverage** - 35%.
Note: Where garage accommodation is not shown as part of the proposed site development an allowance of 18m² per dwelling unit shall be made in calculating site coverage.
- B) Building Envelope
- i) Maximum **Height** - 9m
 - ii) No part of any **building** shall exceed a height equal to 3m plus three quarters of the shortest horizontal distance between that part of the building and the nearest **site** boundary (Refer: Diagram B, Page 109).
 - iii) Except that the following parts of a building may penetrate beyond the building envelope produced by B) i) and ii) above:

- a) The eaves, or overhang in the case of a gable end, up to 0.6m.
- b) Those parts of buildings excluded from the definition of **height** (Rule E, Page 167).
- c) The upper portion of any roof or gable end, if the total area of that part of the building above the building envelope does not exceed 25% of the area produced by the total width of that part of the building (Shown as b) on Diagram C, Page 110), multiplied by the distance between the building envelope and the ridge (shown as a) on Diagram C)

C) Yards

- i) **Front yards**
 - a) 1.2m for **accessory buildings** within 4.5m of a road boundary, provided that not more than 30% of the road frontage shall be occupied by the building.
 - b) 4.5m for other buildings”
- ii) **Side Yards** - 3m and 1.5m provided that in respect of **sites** where vehicular access to the rear is provided elsewhere or garaging is built as part of the dwelling unit the 3m yard may be reduced to 1.5m. Side yards for **accessory buildings** shall be 1m.
- iii) **Rear Yards** - 3m for dwellings, 1m for accessory buildings.
- iv) **Yards for rear sites** - 3m for dwellings, 1m for accessory buildings.
- v) [deleted]
- vi) **Buildings** shall be kept at least 5m clear of the top edge of any public drain or watercourse.

D) Outdoor Living Courts

- i) Every ground floor **dwelling unit** shall be provided with an outdoor **living court**. Such courts shall be:
 - a) At least 36m² in area.
 - b) Capable of containing a circle 6m in diameter.
 - c) Located adjacent to the **main living area** of the dwelling.
 - d) Oriented east, north or west of the dwelling.
 - e) For the exclusive use of the dwelling unit and free of access to other units, driveways, manoeuvring areas, parking spaces and accessory buildings.
- ii) In the case of dwelling units exclusively above ground floor level at least 36m² of land on the **site** shall be set aside for outdoor living associated with each unit.

E) Outdoor Service Courts

- i) Each dwelling unit shall have an outdoor **service court** adjoining either the unit or its outdoor **living court**. Service courts shall be at least 20m² in area, of least width 3m, and free of driveways and manoeuvring areas.
- ii) Part of the **service court** may be combined with the service court of other dwelling units on the site, if a more useful service area will result.

F) Parking

Refer to **3B.4.5. Rule A2-2.4, Page 100.**

G) Visibility at Railway Crossings

Compliance with Rule 3B.4.3 and Appendix 3B.5.

~~At all road/rail level crossings the areas shown in Appendix 2F (Page 202) shall be kept clear of buildings and of other obstructions which might block sight lines.~~

H) Visual **Amenities**

No activity shall involve keeping more than one **derelict vehicle** within view of neighbouring properties or a public place.

I) Proximity of Driveways and Garaging

No **habitable room** shall be closer than 1.5m to a right-of-way, driveway, garage, or similar area intended to carry or house vehicles associated with another dwelling.

J) Access

Compliance with Rule 3B.4.3.

~~i) No dwelling or **accessory building** shall have access via an **unformed road**.~~

~~ii) Where common access to eight or more dwellings is to be provided, this access must be a new legal road, to be formed to Council's standards.~~

K) [Deleted PC55]Access to **Arterial Routes** and Intersecting Roads.

~~i) Vehicle crossings constructed to the arterial routes defined in Appendix 2B (Pages 192 and 193) shall meet the following standards:~~

~~a) The minimum sight distance to and from the vehicle crossing shall comply with the criteria in Appendix 2C.~~

~~b) The location of the crossing shall comply with Appendix 2C.~~

~~c) Use of the crossing shall not exceed 100 car equivalent vehicle movements per day, calculated using Appendix 2C.~~

~~ii) Vehicle crossings constructed to **roads** which intersect with the arterial routes defined in Appendix 2B shall be sited in accordance with Appendix 2C.~~

~~NB- Constructing vehicle crossings may also require the approval of the road controlling authority.~~

L) Glare

Compliance with Rule 3B.4.4.

~~i) Exterior lighting shall be directed away from public places and adjoining premises and shall avoid any spill of light which might distract motorists.~~

~~ii) Metal cladding or fences shall not be left in such a condition that the reflection of sunlight would cause traffic danger.~~

2.3.2 Non-Residential Activities

The permitted and controlled non-residential activities specified above (including **home occupations**) shall comply with the following standards:

A) Yards

- i) **Sites** with identified frontages shown on the Planning Maps - 3m from any site without identified frontage.
- ii) Sites with other frontages

- front yard	4.5m
- All other yards	3m
- iii) **Buildings** shall be kept at least 5m clear of the top edge of any public drain or watercourse.
- iv) Motor Caravans/campervans/caravans on **Motor Caravan Sites** without identified frontage shown on the Planning Maps shall not be parked within 20m of any boundary of the **site**.

B) Site Coverage

- i) On **sites** with identified frontage shown on the Planning Maps - 75%
- ii) Other sites - 35%

C) Height

- i) Maximum **height** 9m.
- ii) No **building** shall exceed a height equal to 3m plus three quarters of the shortest horizontal distance between that part of the building and the nearest **site** boundary (Refer Diagram B, Page 109).

D) Parking

Compliance with Rule 3B.4.5

Refer to Rule A2 2.4, Page 100.

E) Visibility at Railway Crossings

Compliance with Rule 3B.4.3 and Appendix 3B.5.

At all road/rail level crossings the areas shown in Appendix 2F (Page 202) shall be kept clear of buildings and of other obstructions which might block sight lines.

F) Access

Compliance with Rules 3B.4.2 and 3B.4.3.

No dwelling or accessory building shall have access via an unformed road.

G) [Deleted PC55]

Access to Arterial Routes

Vehicle crossings constructed to the arterial routes defined in Appendix 2B shall meet the standards in Rule B2 2.3.1 K) (Page 120).

H) Noise

Compliance with Rule 3C.4.2.

~~i) All activities shall be conducted so as to ensure that noise from the site shall not exceed the following noise limits, at any point within the boundary of any other site in the Village zone:~~

~~7.00 am to 10:00 pm 45 dBA L₁₀
10.00 pm to 7:00 am the following day 35 dBA L₁₀ and 55 dBA~~

~~L_{max}~~

~~ii) Sound levels shall be measured in accordance with New Zealand Standard NZS 6801:1991 Measurement of Sound and assessed in accordance with NZS 6802:1991 Assessment of Environmental Sound.~~

I) Visual Amenities

No activity shall involve storing more than one **derelict vehicle** within view of neighbouring properties or a public place.

J) Glare

Compliance with Rule 3B.4.4.

~~i) Exterior lighting shall be directed away from public places and adjoining premises and shall avoid any spill of light which might distract motorists.~~

~~ii) Metal cladding or fences shall not be left in such a condition that the reflection of sunlight would cause traffic danger.~~

2.3.3 Signs in the Village Zone

A) Signs

Compliance with Rules 3E.4.1 and 3E.4.2.

~~A) **Signs Affecting Safety**~~

~~i) **Signs** shall not detrimentally affect traffic safety or traffic control by creating a visual obstruction or by causing confusion to motorists.~~

~~ii) Signs shall not reduce or obstruct the conspicuity of **official signs** or traffic signals.~~

~~iii) Signs shall not be structurally unsound or unsafe.~~

~~iv) Any illuminated signs shall not be flashing, animated or trivision.~~

~~v) Signs shall not involve revolving lights, lasers or aerial signs.~~

~~B) **Signs on Roads**~~

~~The only **signs** permitted on any part of a legal road in the Village zone are:~~

~~i) **Official signs.**~~

~~ii) Not more than one “welcome to” sign erected at each entrance to a township.~~

iii) Information boards.

NB Signs on roads also need approval from the road controlling authority

C) Signs on Private Property without Identified Frontage

On private property within the Village zone which does not have identified frontage shown on the Planning Maps, the only signs permitted are:

- i) One sign not exceeding 0.3m² in area showing the number of any premises, the name of the dwelling unit or the location, timetable or other details of any utility or public facility.
- ii) One sign not exceeding 1.2m² in area erected in connection with a reserve, church, school, hospital, or home for the aged.
- iii) One sign accessory to a non-residential activity located on the site concerned.
- iv) One sign not exceeding 0.2m² in area, bearing only the name, occupation and hours of business of the occupier using the building.
- v) One sign not exceeding 0.6m² erected in connection with any form of travellers' accommodation.
- vi) Signs not exceeding 0.6m² in area, erected in connection with tourist publicity, or special information, or denoting places or points of special interest.

D) Signs on Private Property with Identified Frontage

- i) On private property within the Village zone which has identified frontage shown on the Planning Maps, the only signs permitted on sites adjoining State Highways are:
 - a) Temporary signs permitted by Rule A2 2.2. (Page 97).
 - b) Traffic signs, or signs showing the number of the premises or the location, timetable or other details of any utility or public facility.
 - c) One pole sign not exceeding 3m² for any permitted use of the premises.
 - d) Signs written on or affixed to a building.
- ii) On sites within the Village zone which have identified frontage shown on the Planning Maps and which do not adjoin State Highways, any sign which complies with A) above shall be a permitted activity.

2.4 RESTRICTED DISCRETIONARY ACTIVITIES

Any permitted or controlled activity specified above which does not comply with any of the relevant standards in Rules B2 2.3.1 to 2.3.3 above shall be a restricted discretionary activity. The matters set out in Rule A1 1.3.3 (Page 93) will be taken into account in assessing restricted discretionary activities.

2.5 DISCRETIONARY ACTIVITIES

2.5.1 List of Activities

- A) The following shall be discretionary activities in the Village zone on sites which do not have identified frontage shown on the Planning Maps:

- i) **Places of Assembly** with 150m² **gross floor area** or more.
 - ii) **Marae.**
 - iii) Hospitals and **Homes for the Aged.**
 - iv) **Travellers' Accommodation.**
 - v) **Boarding Houses.**
 - vi) Hotels and Taverns.
 - vii) **Shops.**
 - viii) Offices.
 - ix) **Commercial Services.**
 - x) **Light Industry.**
 - xi) **Service Stations.**
 - xii) **Restaurants.**
 - xiii) [deleted]
 - xiv) **Dwelling units** and **residential accommodation** not otherwise permitted by Rules B2 2.1, 2.2 or 2.4.
- B) The following shall be discretionary activities in the Village zone on **sites** which have identified frontage shown on the Planning Maps:
- i) Panel-beating, Fibre-glassing and Spray-painting.
 - ii) [deleted]
 - iii) **Dwelling units** and **residential accommodation** not otherwise permitted by Rules B2 2.1, 2.2 or 2.4.

2.5.2 Criteria for Assessment

The matters set out in Rule A1 1.3.4 (Page 94) will be taken into account in assessing discretionary activities.

RULE B3 – RURAL ZONES

(Refer Part 4.3, Page 14)

NB – Words outlined in bold type below have a specific definition contained in Rule E (Pages 165-173). Some of the activities listed below, particularly those marked with ^{MWRC} may also require consent from the Regional Council.

3.1 PERMITTED ACTIVITIES

3.1.1 List of Activities

- A) The following shall be permitted activities in the Rural zones, provided that they comply with the standards in Rule 3.3 below:
- i) **Farming and Farm Buildings.**
 - ii) Planting, tending and harvesting forests, woodlots, specialised tree crops, or shelter belts. ^{MWRC}
 - iii) Veterinary Clinics and Veterinary Hospitals, except if sited in the Air Noise Area.
 - iv) Catteries.
 - v) [deleted]
 - vi) **Pig Farming**, provided that the activity does not involve:
 - a) More than two breeding sows, of which no more than 10 of the progeny can be retained beyond the weaner stage of eight weeks of age, or
 - b) More than 12 growing pigs only, up to the bacon weight stage.
 - vii) One dwelling on **sites** which have the following minimum area:
 - a) Rural 1 zone 8ha
 - b) Rural 2 zone 4ha
 Except if sited within the Air Noise Area (Refer Appendix 3A, Page 198).
 - viii) One dwelling on each allotment subdivided under this Plan, except if sited in the Air Noise Area, if that allotment was demonstrated to have a suitable dwelling site in terms of Rule C2 2.4.1 H) (Page 157).
 - ix) One dwelling on each allotment subdivided under a previous District Plan, and which incorporated a potential house site, except if the dwelling would be sited within the Air Noise Area.
 - x) A second dwelling on sites which have the following minimum areas:
 - a) Rural 1 zone 16ha
 - b) Rural 2 zone 8ha
 Except if sited within the Air Noise Area.
 - xi) One **Family Flat** except if sited within the Air Noise Area.
 - xii) Craft Workshops and Studios, except if sited in the Air Noise Area.
 - xiii) **Home Occupations**, except if sited in the Air Noise Area.
 - xiv) Retail sales from craft workshops and studios, from home occupations, and of farm produce, on **sites** without frontage to **Arterial Routes**, except if sited in the Air Noise Area. (Refer: Appendix **3B.1. 2B, Pages 192 and 193**).
 - xv) **Education Facilities and Day Care centres.** except if sited within the Air Noise Area.
 - xvi) Formation of vehicle crossings onto **roads**. NB: Consent from the road controlling authority is required for vehicle crossings onto Limited Access Roads.
 - xvii) Cemeteries, and crematoria, except if sited in the Air Noise Area.
 - xviii) Effluent ponds for on-farm waste treatment. ^{MWRC}

- xix) Parks, reserves, open space and scenic reserves, except if sited in the Air Noise Area.
- xx) Mineral exploration, prospecting or extraction activities, if the amount of material extracted from each site does not exceed 1000 cubic metres per year.
- xxi) Extraction of more than 1000 cubic metres of sand and /or gravel per year from a river beach, if the site of the extraction is further than 500 metres from the nearest dwelling. ^{MWRC}
- xxii) **Accessory buildings.**
- xxiii) Other buildings ancillary to the primary permitted use of the **site**.
- xxiv) **Signs** which comply with Rules 3E.4.1 and 3E.4.2. Rule B3 3.3.2 (Page 130).
- xxv) **Earthworks** which comply with Rules 3D.4.1 and 3D.4.2. ancillary to permitted activities or to approved controlled, restricted discretionary or discretionary activities. ^{MWRC}
- xxvi) **Motor Caravan Sites**, except if sited in the Air Noise Area.
- xxvii) Clearance, modification or harvesting of indigenous vegetation if it qualifies as a permitted activity under Appendix 1J (Page 190). ^{MWRC}
NB: This rule shall not apply to the heritage places listed in Appendices 1A or 1B of the Plan. Rules on the modification of these places are instead contained in Rule A2 2.3 (Page 98).
- xxix) **Residential Care Homes**, except if sited in the Air Noise Area
- xxx) **Milking sheds**
- xxi) **Pens housing animals**

3.2 CONTROLLED ACTIVITIES

3.2.1 List of Activities

- A) The following shall be controlled activities in the Rural zones, provided that they comply with the standards in Rule 3.3 below:
 - i) [Deleted PC55]. Relocating previously used buildings from another site, except in the case of dwellings to be sited within the Air Noise Area. (Refer Appendix 3A, Page 203).
 - ii) Erection of more than one dwelling on a parcel of **Maori land**, except if sited within the Air Noise Area.
 - iii) **Pig Farming** not otherwise specified as a permitted activity, if the separation distances in Appendix 3D can be met.

3.2.2 Criteria for Assessment

- A) The matters over which **Council** has reserved its control and in respect of which conditions may be imposed are set out in Rule A1 1.3.1 (Page 90).

3.3 STANDARDS FOR PERMITTED AND CONTROLLED ACTIVITIES

3.3.1 Performance Standards

The permitted and controlled activities specified above shall comply with the following standards:

- A) **Height**
 - i) Maximum **height** 20m.

- ii) No **building** shall exceed a height equal to 3m plus three quarters of the shortest horizontal distance between that part of the building and the nearest **site** boundary.
- iii) No part of any building, structure, **mast**, tree or other object shall penetrate any of the climb surfaces, transitional surfaces, horizontal surfaces or conical surfaces associated with Milson Airport or Feilding Aerodrome. These surfaces are shown in Appendix 3B (Page 211) and Appendix 3C (Page 212). Where two or more surfaces intersect, the lower shall apply.

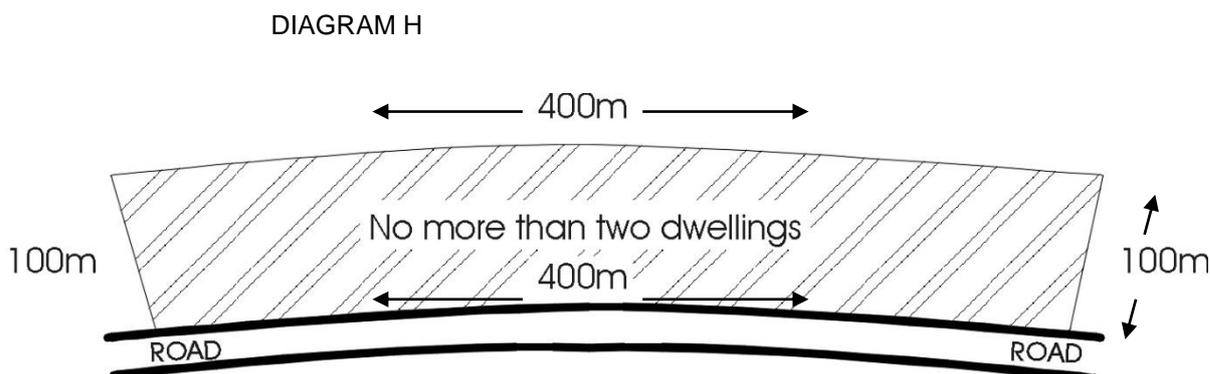
NB: Special **height** controls also apply in the vicinity of Ohakea Airfield: (Refer Appendix 7B, Pages 229-233).

B) **Yards and Separation Distances**

- i) **Dwelling Units –Nodal Areas**
Front yards 25m, other yards 12m
- ii) **Dwelling Units** in areas other than **Nodal Areas**
Front yards 25m, other yards 20m
- iii) **Accessory Buildings** less than 4m in height and with a gross floor area no greater than 60m² -
Front yards 10m, other yards 1.5m.
- iv) [deleted]
- v) Milking sheds and pens housing animals (either permanently or temporarily), including **pig farming**
 - a) From any Residential zone or Village zone - 100m.
 - b) Front yards - 10m
 - c) Other yards - 30m.
- vi) All other **buildings** (including **Farm buildings**)
- Front yards 10m., other yards 5m.
- vii) Buildings shall be kept at least 10m clear of the top edge of any public drain or watercourse.
- viii) No pig wallow shall be permitted to develop within 100 metres of any boundary of the **site**.
- ix) Motor Caravans/campervans/caravans on **Motor Caravan Sites** shall not be parked within 20m of any boundary of the site.
- x) No silage pit or silage stack shall be sited within 100m of any dwelling on another property that is located in a Residential or Village zone or a **nodal area**

C) **Separation of Dwellings along Roads**

- i) No dwelling shall result in, or add to, a situation of more than two existing or potential houses within the area defined by any 400 metre section of road and a line 100 metres from and parallel to that section of road. (Refer to Diagram H below).
- ii) Dwellings further than 100m from any road, or on the opposite side of the road concerned, shall not be counted for the purposes of this rule.
- iii) Potential dwellings shall be assigned to any allotment which does not currently have a dwelling upon it, and to allotments on proposed or approved subdivision plans.
- iv) Properties which have frontage to more than one road shall comply with this rule in respect of all of the roads concerned.
- v) This rule shall not apply to dwellings located within nodal areas.



- D) Separation of Dwelling units in the Pohangina Valley
- i) No dwelling unit within the Pohangina Valley, as shown on the Planning Maps, shall be sited within 250 metres of any existing or potential dwelling unit on another site.
 - ii) For the purposes of this rule potential dwellings shall be assigned to any allotment which does not currently have a dwelling upon it, and to allotments on approved plans of subdivision. For the purposes of measuring the distance between such potential dwellings and proposed dwellings, the potential dwelling site shall be any part of the allotment concerned which complies with this Plan's performance standards for dwellings, and which has been demonstrated to be free of natural hazards.
 - iii) This rule shall not apply to proposed dwelling sites within the Pohangina **nodal area** (ie within 1km of the Pohangina hall), or to dwellings on allotments on plans of subdivision approved prior to 21 July 2001.

E) Separation From **Pig Farming** Operations

No dwelling shall be sited within 500 metres of any building housing pigs which is part of a Pig Farming operation which houses more than 500 growing pigs on site, or more than 50 sows plus progeny.

(NB: Pig Farming operations which met these criteria as of 1 July 2000 are listed in Appendix 3D, Page 213).

F) Shelter Belts and Tree Planting

- i) Without the written consent of the adjoining landowner concerned, no shelter belt, woodlot or tree plantation shall be permitted to grow to over 4 metres in **height**:
 - a) Within 5m of any **northerly boundary** of the **site**, or within 10m of any other boundary of the site except a road boundary, or
 - b) Within 30m of any rural dwelling on another property, or
 - c) Within 30m of any property zoned Residential or Village,
- ii) No shelter belt, woodlot or tree plantation shall cause shading of any part of any dwelling on another property:
 - a) At 10am on any day between October 26 and March 22
 - b) At noon on any day between August 27 and April 17
 - c) At 2pm on any day between September 10 and March 29.

(The above times are NZ Standard Times not NZ Daylight Saving Times)

- iii) Rules i) b) and ii) above shall not apply to dwellings which were built after the shelter belt, woodlot or tree plantation concerned was planted.
- iv) Without the consent of the roading authority, no vegetation which might obstruct vehicle sight lines shall be permitted to grow within 30 metres of the centre of any intersection.
- v) No plantation forest shall be permitted to grow within 50 metres of the edge of any **wetland** listed in Appendix 1A, if that wetland is in the coastal area shown on the Planning Maps.

G) Fencing of Properties

- i) Where any activity involves keeping male entire adult cattle or male entire horses in a paddock or enclosure which adjoins another property, those boundaries shall have a live electric wire in addition to, or attached to, the boundary fence, eg on outriggers. For the purposes of this rule “adult cattle” are defined as those which are at least one year old.
- ii) This rule shall not apply to road boundaries or to situations where the adjoining landowner concerned has given their written consent to a different standard of fence (or to no fence) being provided.
- iii) Where any activity involves keeping more than ten goats, or any goats used for breeding, on any **site** within 5 kilometres of the Ruahine Forest Park, all those goats shall be formally identified in accordance with the Animal Identification Act 1993 and shall be contained within an area fenced in accordance with the Second Schedule to the Fencing Act 1978.

H) Roading Impacts

- i) Suitable areas shall be provided on the **site** for stockpiling, logging and loading operations associated with forest harvesting. No such operations shall be undertaken on the road reserve without the consent of the roading authority.
- ii) No activity shall result in the generation of heavy traffic movements which involve:
 - a) The weight of the loads concerned exceeding any weight restrictions on the bridges or culverts which are to be used.
 - b) The length of the loads concerned requiring the vehicle to utilise the road shoulder, water table or road verge when negotiating bends.
 - c) The timing of the vehicle movements in relation to prevailing ground conditions resulting in damage to the structural integrity of the road carriageway, or
 - d) The frequency of loads and spacing between them resulting in damage to the structural integrity of the road carriageway.

NB -The onus will be on the landowner and operator of the activity to consult with the roading authority at an early stage to determine whether their proposals are compatible with the roading network in terms of the above. **Council** is not obliged to upgrade any road and may seek contributions from the landowner in such cases (Refer Part 7.4, Page 68).

I) Effluent Disposal and Effluent Ponds

- i) Adequate provision shall be made for disposal of any solid or liquid effluent (including effluent ponds if necessary), and for the hygienic storage of waste matter.
- ii) All effluent ponds shall have an adequate stock-proof fence, with a secure gate.
- iii) All effluent ponds shall meet the following minimum separation distances:
 - a) From any property zoned Residential or Village 300m

- b) From any road boundary 55m
- c) From any other boundary 80m

J) Sales Area

No retail sales area is to be located closer than 50m to the road from which access is gained.

K) Noise ~~Received in Residential Zones or Village Zones~~

~~Compliance with Rule 3C.4.2.~~

~~All activities shall be so conducted as to ensure that noise from sites in the Rural zone shall not exceed the following noise limits, at any point within the boundary of any site zoned Residential or Village.~~

7.00am to 10.00pm	55 dBA L₁₀
10.00pm to 7.00am the following day	45 dBA L₁₀ and 65 dBA L_{max}

L) ~~[Deleted PC55]~~

~~Noise Received at Rural Dwellings~~

~~All activities shall be conducted so as to ensure that noise from the site shall not exceed the following noise limits, at any point within the notional boundary of any rural dwelling not on the subject site:~~

6.00am to 10.00pm	55 dBA L₁₀
10.00pm to 6.00am the following day	45 dBA L₁₀ and 65 dBA L_{max}

~~Note: the notional boundary is defined in NZS 6802: 1991 Assessment of Environmental Sound as a line 20 metres from the facade of any rural dwelling, or the legal boundary where this is closer to the dwelling.~~

M) ~~[Deleted PC55]~~

~~Exemptions and Measurement of Noise~~

~~i) The foregoing noise limits shall not apply to activities of a limited duration required by normal agricultural practice, such as harvesting. Such activities shall be no louder than necessary, and shall comply with the requirements of Section 16 of the Act.~~

~~ii) Sound levels shall be measured in accordance with New Zealand Standard NZS 6801: 1991 Measurement of Sound and assessed in accordance with NZS 6802: 1991 Assessment of Environmental Sound.~~

~~NB The foregoing noise limits shall not apply to aircraft noise associated with operational activities at airports, including taxiing and runups.~~

N) Air Noise Control

i) In the Outer Control Area identified in Appendix 3A (Page 203), all buildings must be constructed in compliance with:

- a) Appendix 3A - **Schedule P** in respect of all direct **sound transmission paths** from the outside of the building to the inside of any classroom, lecture room, or any other such room used for **communal activities**.

- b) Appendix 3A - **Schedule Q** in respect of all direct sound transmission paths from the outside of the building to the inside of any bedroom.
- (ii) In the Inner Control Area identified in Appendix 3A, all buildings must be constructed in compliance with:
 - a) Appendix 3A - Schedule P in respect of all direct **sound transmission paths** from the outside of the building to the inside of any **habitable room** (other than a bedroom)
 - b) Appendix 3A - Schedule Q in respect of all direct sound transmission paths from the outside of the building to the inside of any classroom or lecture room, and any other such room used for **communal activities**.
 - c) Appendix 3A - **Schedule R** in respect of all direct sound transmission paths from the outside of the building to the inside of any bedroom.
- (iii) Where a proposed building is not to be insulated as prescribed by the relevant applicable Schedule for the Control Area in which it is located, it shall be permitted if it:
 - a) Is to be insulated to the standard required by the relevant applicable schedule including a 5dBA safety margin, (Refer Definitions of Schedules P, Q and R) and
 - b) Is certified by an **acoustical consultant** as meeting that standard, including the 5dB safety margin.

O) Parking

Compliance with Rule 3B.4.5.

Refer Rule A2 2.4 (Page 100).

P) Visibility at Railway Crossings

Compliance with Rule 3B.4.3 and Appendix 3B.5.

At all road/rail level crossings the areas shown in Appendix 2F (Page 202) shall be kept clear of buildings and of other obstructions which might block sight lines.

Q) Access **to Roads**

Compliance with Rules 3B.4.2 and 3B.4.3.

i) Vehicle crossings constructed to the **arterial routes** defined in Appendix 2B (Pages 192 and 193) shall meet the following standards:

a) Such vehicle crossings shall only be constructed if there is no alternative legal access to another road.

b) The minimum sight distance to and from the vehicle crossing shall comply with the criteria in Appendix 2C.

c) The location of the crossing shall comply with Appendix 2C.

d) Use of the crossing shall not exceed 100 car equivalent vehicle movements per day.

e) If use of the vehicle crossing exceeds 30 car equivalent vehicle movements per day, the vehicle crossing shall be formed to the standards shown in Appendix 2E.

f) Car equivalent vehicle movements shall be calculated using Appendix 2C.

ii) Vehicle crossings constructed to roads which intersect with the **arterial routes** defined in Appendix 2B shall be sited in accordance with Appendix 2C.

~~iii) No dwelling or accessory building shall have access via an unformed road.~~

~~NB- Constructing vehicle crossings may also require the approval of the road controlling authority.~~

R) Farm Loading Ramps

- i) Farm loading ramps shall be designed so that vehicles using the ramp do not have to reverse onto or off an **arterial route**, or park on any part of the carriageway of any arterial route while loading or unloading.
- ii) The minimum sight distance from any farm loading ramp which is designed so that vehicles using it have to park on any part of a non-**arterial route**, shall be 110m. If this sight distance is not available, the landowner shall provide advance warning to approaching traffic that the loading or unloading is taking place.

S) Glare

Compliance with Rule 3B.4.3.

- ~~i) Exterior lighting shall be directed away from public places and adjoining premises and shall avoid any spill of light which might distract motorists.~~
- ~~ii) Metal cladding or fences shall not be left in such a condition that the reflection of sunlight would cause traffic danger.~~

T) Visual **Amenities**

No activity shall involve keeping more than one **derelict vehicle** within view of neighbouring properties or a public place.

U) **Family Flats**

- i) Maximum Gross Floor Area: 70m² or less (excluding attached garaging/carport up to 18m² and any sized decks and verandahs).
- ii) Separation Distance: Shall be located within 30 metres of the main dwelling on the same site.
- iii) Access: Shall share the same access as the main dwelling on the same site.

3.3.2 Signs in the Rural or Flood Channel Zones

A) Signs

Compliance with Rule 3E.4.2.

~~A) Signs Affecting Safety~~

- ~~i) Signs shall not detrimentally affect traffic safety or traffic control by creating a visual obstruction or by causing confusion to motorists.~~
- ~~ii) Signs shall not reduce or obstruct the conspicuity of official signs or traffic signals.~~
- ~~iii) Signs shall not be structurally unsound or unsafe.~~
- ~~iv) Any illuminated signs shall not be flashing, animated or trivision.~~

~~v) Signs shall not involve revolving lights, lasers or aerial signs.~~

~~B) Signs on Roads~~

~~On legal roads in the Rural or Flood Channel zones, the only signs permitted are:~~

~~i) Official signs.~~

~~ii) Not more than one “welcome to” sign erected at each entrance to a township.~~

~~iii) Official Information boards~~

~~NB: Signs on roads need approval from the road controlling authority.~~

~~B) C) On private property in the Rural or Flood Channel zones, the only signs permitted are:~~

~~i) A sign not exceeding 1m² in area for any public purpose or in connection with and on the same **site** as any of the following activities:~~

~~a) Reserves.~~

~~b) **Places of assembly.**~~

~~c) Museums and educational institutions.~~

~~d) Hospitals and **homes for the aged.**~~

~~e) **Travellers accommodation.**~~

~~ii) Temporary signs permitted by [Rule 3E.4.2](#), [Rule A2 2.2 \(Page 97\)](#).~~

~~iii) Traffic signs, or signs denoting the name of the road, number of the premises or the location of, timetable, or other details of any **utility** or public facility.~~

~~iv) A sign not exceeding 0.5m² in area bearing only the name of the premises, the professions of occupiers, and the name, occupation and hours of attendance of people using the premises. If more than one sign is displayed on one **site** the total area of signs shall not exceed 1.5m².~~

~~v) A sign not exceeding 1m² for any permitted use which requires the erection of such a sign, or for the sale of produce grown on the premises.~~

~~NB: Signs which do not comply with A) or B) above shall be non-complying activities. Signs which do not comply with C) above and which are not a discretionary activity under Rule B3 3.5.1, Rule B3 3.5.2 or Rule B7 7.5.1 shall also be a non-complying activity.~~

3.4 RESTRICTED DISCRETIONARY ACTIVITIES

3.4.1 List of Activities

A) The following shall be restricted discretionary activities in the Rural zone:

i) Any permitted activity or controlled activity specified above which does not comply with any of the relevant standards in Rules B3 3.3.1 or 3.3.2.

ii) Clearance, modification or harvesting of indigenous vegetation if it qualifies as a restricted discretionary activity under Appendix 1J (Page 190) ^{MWRC}

NB: This rule shall not apply to the heritage places listed in Appendices 1A or 1B of the Plan. Rules on the modification of these places are instead contained in Rule A2 2.3 (Page 98).

3.4.2 Criteria for Assessment

A) Applications for restricted discretionary activities shall be assessed against the matters set out in Rule A1 1.3.3. (Page 93).

3.5 DISCRETIONARY ACTIVITIES

3.5.1 Rural Zones Except Nodal Areas

- A) The following shall be discretionary activities in the Rural zone, except in **nodal areas**:
- i) Aircraft landing areas, aerodromes and associated facilities.
 - ii) **Dwelling units** and **residential accommodation** not otherwise permitted by Rules B3 3.1.1 and 3.2.1, except if sited in the Air Noise Area. (Refer Appendix 3A, Page 203).
 - iii) Golf courses, showgrounds, racecourses, gun clubs, motorsport activities and recreation areas not otherwise specified as a permitted activity.
 - iv) Hospitals and **homes for the aged**, except if sited in the Air Noise Area.
MWRC
 - v) Hotels and taverns, except if sited in the Air Noise Area. MWRC
 - vi) **Intensive farming**.
 - vii) **Kennels**.
 - viii) Lodges, hunting, tour party and recreational bases except if sited in the Air Noise Area. MWRC
 - ix) **Marae**, except if sited in the Air Noise Area. MWRC
 - x) **Pig farming** not otherwise specified as a permitted or controlled activity.
MWRC
 - xi) **Places of assembly** and libraries, except if sited in the Air Noise Area.
 - xii) Mineral exploration, prospecting or extraction activities, not otherwise permitted by Rule B3 3.1.1. MWRC
 - xiii) **Restaurants**, reception rooms and **tourist facilities**, except if sited in the Air Noise Area.
 - xiv) Retail sales from craft and workshop studios, from **home occupations**, and of farm produce, on **sites** with frontage to the **arterial routes** defined by Appendix **3B.1, 2B (Pages 192 and 193)**, except if sited in the Air Noise Area.
 - xv) **Rural industries**, farm contractors depots, and rural transport operators.
 - xvi) Saleyards.
 - xvii) **Signs** on private property which provide advance warning to motorists of retail sales outlets, **restaurants** or **tourist facilities** in the Rural zone, provided that:
 - a) The signs are located no further than 1km from the business concerned if both are located on the same road.
 - b) The signs are located no further than 5km from the business concerned if the business is down a side road.
 - xviii) **Travellers' accommodation**, except if sited in the Air Noise Area.
 - xix) **Landfills**.
 - xx) Alterations and additions to any of the following buildings or activities on **sites** within the Air Noise Area (Refer: Appendix 3A, Page 203), provided that the building or activity was lawfully established prior to 1 August 1998:
 - a) Dwellings and **residential accommodation**, including relocated dwellings.
 - b) **Family Flats**.
 - c) **Education Facilities** and **Day Care Centres**.
 - d) **Travellers' Accommodation**.
 - e) **Marae**.
 - f) Hotels and Taverns.
 - g) Hospitals and **Homes for the Aged**.
 - h) **Places of Assembly** and Libraries.
 - i) Lodges, hunting, tour party and recreational bases.

- j) **Restaurants**, Reception Rooms and **Tourist Facilities**.
- k) Any other existing buildings used for regular accommodation and **Communal Activities**.
- xxi) Coastal protection /river control structures located within 50m of Mean High Water Springs. ^{MWRC}

3.5.2 Nodal Areas

- A) The following shall be discretionary activities in the **nodal areas** of the Rural zone:
 - i) **Dwelling units** and **residential accommodation** not otherwise permitted by Rules B3 3.1.1 and 3.2.1.
 - ii) Golf courses, showgrounds, racecourses and recreation areas not otherwise specified as a permitted activity.
 - iii) Hospitals and **homes for the aged**. ^{MWRC}
 - iv) Hotels and taverns ^{MWRC}.
 - v) Lodges, hunting, tour party and recreational bases. ^{MWRC}
 - vi) **Marae**. ^{MWRC}
 - vii) **Places of assembly** and libraries.
 - viii) **Restaurants**, reception rooms and **tourist facilities**.
 - ix) Retail sales from craft and workshop studios, from **home occupations**, and of farm produce, on **sites** with frontage to the **arterial routes** defined by Appendix **3B.1. 2B (Pages 192 and 193)**.
 - x) Farm contractor's depots, and rural transport operators.
 - xi) Saleyards.
 - xii) **Signs** on private property which provide advance warning to motorists of retail sales outlets, **restaurants** or **tourist facilities** in the Rural zone, provided that:
 - a) The signs are located no further than 1km from the business concerned if both are located on the same road.
 - b) The signs are located no further than 5km from the business concerned if the business is down a side road.
 - xiii) **Travellers' accommodation**".

3.5.3 Criteria For Assessment

The matters set out in Rule A1 1.3.4 (Page 94) will be taken into account in assessing discretionary activities.

3.6 PROHIBITED ACTIVITIES

3.6.1 List of Activities

- A) The following shall be prohibited activities in the Rural zones, if sited in the Air Noise Area (Refer Appendix 3A, Page 203):
 - i) Veterinary Clinics and Veterinary Hospitals.
 - ii) **Dwelling units** and **residential accommodation**, including relocated dwellings.
 - iii) **Family Flats or Guest Houses**.
 - iv) Craft Workshops and Studios.
 - v) **Home Occupations**.
 - vi) Retail sales from craft and workshop studios, from home occupations, and of farm produce.

- vii) **Education Facilities and Day Care centres.**
- viii) Cemeteries and crematoria.
- ix) Parks, reserves, open space and scenic reserves.
- x) Hospitals and **homes for the aged.**
- xi) Hotels and taverns.
- xii) Lodges, hunting, tour party and recreational bases.
- xiii) **Marae.**
- xiv) **Places of assembly** and libraries.
- xv) **Restaurants**, reception rooms and **tourist facilities.**
- xvi) **Travellers' accommodation.**
- xvii) **Communal activities.**
- xviii) Motor Caravan Rallies.
- xix) **Motor Caravan Sites.**

These activities have been expressly prohibited and no resource consent shall be granted.

10. BUSINESS ZONES

10.1 Introduction

Feilding is the largest township in the Manawatu District and plays an important role as a rural service centre. District residents and visitors value the unique character and identity of Feilding and it is important that the Business Zones maintain and enhance this.

The Business Zone is separated into two distinct zoning areas to provide for a range of activities to meet the needs of the community while retaining the unique character and identity of Feilding.

The Inner Business Zone relates to the central heart of the Feilding town centre. This zone seeks to retain the existing boutique-scale and character of the town centre and includes the area bounded by Warwick Street, Grey Street, part of Denbigh Square and Eyre Street. Compatible commercial and community activities are provided for throughout the zone. In addition to this, dwellings are provided for above first-floor level to promote a diverse range of uses within the zone. The zone seeks to create an interesting and pleasant environment for pedestrians and to encourage pedestrian movement.

The Outer Business Zone relates to the area adjoining Inner Business Zone. This zone provides for larger scale activities that require larger building footprints than the Inner Business Zone. The Zone also provides for a specific area of large format retail activities.

Appendix 10a - Feilding Town Centre Design Guide accompanies this chapter and has been developed to provide design direction and standards for development within the Feilding town centre.

This chapter is intended to be read in conjunction with the chapters that apply District-wide such as Chapter 4 – Historic Heritage.

10.2 Resource Management Issues

The following resource management issues have been identified in the Business Zones:

1. The desire to maintain the boutique-scale and unique character in the heart of the town centre.
2. To ensure new buildings achieve good urban design and are complementary to the design and character of existing buildings.
3. To provide for a wide range of activities recognising the role of Feilding as a rural service centre.
4. To ensure that the scale and intensity of proposed activities are appropriate for the Business Zones.

5. To provide for large format retail development that does not detract from the design and character of the existing town centre core.
6. The need to retain a compact, well designed town centre and avoid the unplanned sprawl of business activities into residential and industrial areas.
7. The need to manage any potential reverse sensitivity effects at the Business Zone/Residential Zone interface.
8. The need to manage any potential adverse reverse sensitivity effects where dwellings are provided within the Inner Business Zone.
9. The occurrence of vacant land in the Inner Business Zone resulting from the demolition of buildings.

10.3 Objectives and Policies

Objective 1

To encourage and provide for a range of compatible activities that recognise Feilding's role as a rural centre and retain the existing amenity values of the town centre.

Policies

- 1.1 To require activities in the Inner Business Zone to be of a form and scale which fits with the existing surroundings.
- 1.2 To provide for buildings with larger footprints in the Outer Business Zone.
- 1.3 To restrict Large Format Retail activities to a specific location within the Outer Business Zone.
- 1.4 To require any dwellings in the Inner Business Zone to be located above ground floor level and have appropriate acoustic insulation.
- 1.5 To manage any potential reverse sensitivity effects of dwellings in the Inner Business Zone by requiring appropriate privacy, sunlight and acoustic mitigation.
- 1.6 To ensure that any potential adverse effects from activities in the Business Zones are managed to avoid, remedy or mitigate adverse effects in the Business Zones and on residentially-zoned land adjacent to the Business Zones.

Objective 2

To retain the high concentration of buildings with significant historic heritage values that create the character and identity of Feilding.

Policies

- 2.1 To require all new development in the Inner Business Zone be designed to complement and where possible, retain the existing town centre character by including the following features:
 - a. be built to the front and side site boundaries to ensure a continuous built edge.
 - b. maintain a rectangular shape with tall proportions that includes a ground floor, upper floor and parapet that hides the roofline behind.
 - c. include facades with recessed and projected bays or other architectural detail to create vertical division
 - d. to require facades to be finished in a colour to complement the streetscape, highlight architectural features and enhance the form of the building
 - e. to require clear glazed front windows on the ground floor.
 - f. to require windows above ground floor level to be located symmetrically.
 - g. to require main entrance doors to be oriented to the street, recessed and glazed with a solid base stall board.
 - h. incorporate skyline features such as parapets, cornices, classical gable elements or similar features to create visual interest.
- 2.2 To encourage the retention of the existing street facades of buildings with significant heritage values where these buildings are proposed to be demolished.
- 2.3 To ensure additions and alterations to existing buildings, and construction of new buildings do not compromise the context, setting and streetscape values of the existing town character and buildings with significant heritage values, through managing building bulk and height.

Objective 3

To ensure development in the Business Zones achieves a high level of amenity and active street frontages.

Policies

- 3.1 To require building design that is high quality and complementary to the surrounding environment.
- 3.2 To avoid featureless walls by requiring window and door openings on the street edge to ensure active street frontages.
- 3.3 To require ornamentation and other detailing to complement the building style.
- 3.4 To ensure signage is limited to identifying the business location and/or the product or service provided on the site and is complementary to the building style which it relates.
- 3.5 To encourage the landscaping and screening of sites to enhance the amenity of the Business Zones.

Objective 4

To ensure, where building demolition is necessary for public safety, that any resulting vacant land does not detract from the character and amenity of the Inner Business Zone.

Policies

- 4.1 To encourage the prompt redevelopment of sites where a building is completely demolished.
- 4.2 Where immediate redevelopment of a site is not possible, the site must be landscaped, grassed or sealed and maintained to create a pleasant open space until a new building is constructed.

10.4 Rules

INNER BUSINESS ZONE

10.4.1 Permitted Activities - Inner Business Zone

The following are permitted activities in the Inner Business Zone provided that they comply with the standards in Rule 10.4.2 below:

- a. Alterations and additions to the interior of any existing building

- b. Commercial services
- c. Community facilities
- d. One dwelling per site, where located above ground floor level
- e. Entertainment facilities
- f. Maintenance and minor repair of buildings
- g. Partial or complete demolition of any building where the work is required to make the site safe after an accidental fire, flooding or earthquake event.
- h. Retail activities
- i. Seismic strengthening
- j. Visitor accommodation, where located above ground floor level.

10.4.2 Inner Business Zone - standards for permitted activities

For the Inner Business Zone, the permitted activities specified above must comply with the following standards:

a. Height

The maximum height for any building in the Inner Business Zone is 9m.

b. Yards

- i. All buildings, adjoining land zoned Residential, must comply with a setback for all yards of 4.5m.
- ii. All other buildings must be built to the front and side boundaries of the site.

c. Screening

Any site boundary with an adjoining Residential zoned site shall be screened to a height of 1.5m with a solid wall or closed board fence.

d. Building frontages

The street frontage(s) of all buildings must:

- i. include a ground floor, upper floor and parapet or other skyline feature that hides the roofline behind.

- ii. be constructed with recessed and projected bays or other architectural detail to create vertical division in the façade.
- iii. be constructed of materials and be of an external colour that is complementary to the streetscape and surrounding buildings.
- iv. contain clear glazed windows for at least 70% of the total ground floor front wall area.
- v. have symmetrically located windows above ground floor level.
- vi. have ground level building entrances that are recessed and with solid base stall boards of between 300-600mm in height.
- vii. clearly display the date (year) of the construction of the building.

e. Verandah Cover

All buildings fronting the red line identified on Figure 1 below must provide a verandah and supporting poles along the full width of the building. The verandah must be set back 0.5m from the kerb line and must be of a height that relates to adjacent verandahs to ensure continuity of cover.



Figure 1 - Verandah Area

f. Signage

Any signage erected in the Inner Business Zone must:

- i. be limited to identifying the business location and/ or the product or service provided on the site
- ii. be of a style, size and colour that is complementary to the building style
- iii. be located on or beneath the verandah fascia.

g. Vehicle access to sites

For sites located within the verandah area, vehicle access to the site must be from the rear of the property to ensure a continuous building façade is achieved.

h. Noise ~~Received in the Inner Business Zone~~~~Compliance with Rule 3C.4.1.~~

~~All activities shall be conducted so as to ensure that noise from the site shall not exceed the following noise limits, at any point within the boundary of any other site in the Business zone:~~

~~At any time ————— 65 dBA L_{10}~~

~~10:00pm to 7:00 am the following day — 85 dBA L_{max}~~

i. ~~[Deleted PC55]~~~~Noise Received in Residential Zones~~

~~All activities shall be conducted so as to ensure that noise from the site shall not exceed the following noise limits, at any point within the boundary of any Residential zone:~~

~~7:00am to 10:00 pm ————— 50 dBA L_{10}~~

~~10:00pm to 7:00 am the following day — 40 dBA L_{10} and 60 dBA L_{max}~~

j. ~~[Deleted PC55]~~~~Measurement~~

~~Sound levels shall be measured in accordance with New Zealand Standard NZS 6801:1991 Measurement of Sound, and assessed in accordance with NZS 6802:1991 Assessment of Environmental Sound.~~

k. Parking

Sites outside the area shown in Appendix 3B.6 4C shall provide car parking in accordance with Rule 3B.4.5. A2-2.4 (Page 100).

l. Visibility at Railway Crossings

Compliance with Rule 3B.4.3 and Appendix 3B.5.

At all road/rail level crossings the areas shown in Appendix 2F (Page 202) shall be kept clear of buildings and of other obstructions which might block sight lines.

m. Access to Arterial Routes and Intersecting Roads.

Compliance with Rules 3B.4.2 and 3B.4.3.

i. Vehicle crossings constructed to the arterial routes defined in Appendix 2B (Pages 192 and 193) shall meet the following standards:

a. The minimum sight distance to and from the vehicle crossing shall comply with the criteria in Appendix 2C.

b. The location of the crossing shall comply with Appendix 2C.

ii. Vehicle crossings constructed to roads which intersect with the arterial routes defined in Appendix 2B shall be sited in accordance with Appendix 2C.

NB Constructing vehicle crossings may also require the approval of the road controlling authority.

n. Glare

Compliance with Rule 3B.4.4.

i. Exterior lighting shall be directed away from public places and adjoining premises and shall avoid any spill of light which might distract motorists.

ii. Metal cladding or fences shall not be left in such a condition that the reflection of sunlight would cause traffic danger.

o. Signs in the Inner Business Zone

i. Compliance with Rules 3E.4.1 and 3E.4.2

A) Signs Affecting Safety

- i. Signs shall not detrimentally affect traffic safety or traffic control by creating a visual obstruction or by causing confusion to motorists.
- ii. Signs shall not reduce or obstruct the conspicuity of official signs or traffic signals.
- iii. Signs shall not be structurally unsound or unsafe.
- iv. Any illuminated signs shall not be flashing, animated or trivision.
- v. Signs shall not involve revolving lights, lasers or aerial signs.

B) Signs on Roads

- ii. The only signs permitted on any part of a legal road in the Inner Business zone, are:
 - a. Signs located above the footpath or carriageway, provided that no part of such signs shall be less than 2.5m above the footpath or 5.5m above the carriageway
 - i. Official signs
 - ii. Official Information boards
 - iii. No more than one sign placed on the footpath per business premise. Such signs shall not exceed 0.8 square metres in area and shall only be placed adjacent to the kerbline outside the premises which they advertise.
 - iv. Signs located above the footpath or carriageway, provided that no part of such signs shall be less than 2.5m above the footpath or 5.5m above the carriageway.

NB Signs on roads also need approval from the road controlling authority.

C) Signs on Private Property

- i. The only signs permitted on sites adjoining SH54, are:
 - a. Temporary signs permitted by Rule A2 2.2. (Page 97).
 - b. Traffic signs, or signs showing the number of the premises or the location, timetable or other details of any utility or public facility.
 - c. One pole sign not exceeding 3m² for any permitted use of the premises.
 - d. Signs written on or affixed to a building
- ii. On sites which do not adjoin SH54, any sign which complies with A) above shall be a permitted activity.

p. Dwellings and Visitor Accommodation

Dwellings and Visitor Accommodation must meet the following standards:

- i. Noise insulation

Any habitable room in a building used by a noise sensitive activity within the Inner Business Zone shall be protected from noise arising from outside the building by ensuring the external sound insulation level achieves the following minimum performance standards:

$$\textit{Bedrooms} \quad D_{nT,w} + C_{tr} > 30 \text{ dB}$$

$$\textit{Other Habitable Spaces} \quad D_{nT,w} + C_{tr} > 25 \text{ dB}$$

Compliance with these performance standards will be achieved by ensuring bedrooms and other habitable rooms are designed and constructed in a manner that accords with an acoustic design certificate signed by a suitably qualified acoustic engineer stating the design as proposed will achieve compliance with the above performance standard.

ii. Ventilation

Where bedrooms with openable windows are proposed, a positive supplementary source of fresh air ducted from outside is required at the time of fit-out. For the purposes of this requirement, a bedroom is any room intended to be used for sleeping. The supplementary source of air is to achieve a minimum of 7.5 litres per second per person

q. Seismic Strengthening

Seismic strengthening 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

10.4.3 Restricted Discretionary Activities - Inner Business Zone

The following are restricted discretionary activities in the Inner Business Zone:

- a. Any activity, specified in Rule 10.4.1 above, that does not comply with one or more of the standards in Rules 10.4.2 a-o.

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

- scale and location
- building form (design and materials)
- traffic and pedestrian safety
- noise
- continuation of streetscape character
- signage

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 Business Zone, assess any application in terms of the following assessment criteria:

- i. Whether the application will result in any adverse effects on amenity values of neighbouring properties or the character of the Inner Business Zone
- 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 streetscape character
- iv. The extent to which there will be adverse effects where an application does not meet two or more standards.

- b. The construction of any new building

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

- Demonstrated compliance with the Feilding Town Centre Design Guidelines (Appendix 10A)
- scale and location
- building form (design and materials)

- relationship to adjacent buildings
- design and appearance of verandah
- contribution to streetscape character
- signage

c. External additions or alterations to an existing building

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

- demonstrated compliance with the Feilding Town Centre Design Guidelines (Appendix 10A)
- scale and location
- building form (design and materials)
- relationship to adjacent buildings
- design and appearance of verandah
- contribution to streetscape character
- signage

d. Demolition of any building

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

- mitigation of adverse visual effects from vacant land

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 Business Zone, assess any application in terms of the following assessment criteria:

- i. The extent to which the proposed mitigation will minimise adverse visual effects from vacant land

e. Formation of vehicle crossings onto roads

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

- traffic and pedestrian safety
- continuity of the streetscape character

The council's assessment will include consideration of the following matters:

- i. Whether the vehicle crossing will result in adverse effects on streetscape.
- ii. Whether the vehicle crossing will result in pedestrian safety concerns.
- iii. The extent to which the traffic generated by the activity adversely affects the safety and capacity of the adjacent road network.

10.4.4 Discretionary Activities - Inner Business Zone

The following shall be discretionary activities in the Inner Business Zone:

- a. Education facilities
- b. Seismic strengthening that does not meet the performance standards for a permitted activity
- c. Tourist facilities
- d. Visitor accommodation, not provided for as a permitted activity.

10.4.5 Non-complying activities - Inner Business Zone

Any activity in the Inner Business Zone that is not specifically provided for as a permitted, restricted discretionary, or discretionary activity is a non-complying activity.

OUTER BUSINESS ZONE

10.4.6 Permitted Activities - Outer Business Zone

The following are permitted activities in the Outer Business Zone provided that they comply with the standards in Rule 10.4.7 below:

- a. The construction of any new building associated with a permitted activity
- b. Internal and external additions and alterations to an existing building
- c. Ancillary activities
- d. Car parking
- e. Commercial services
- f. Community facilities
- g. Education facilities
- h. Entertainment facilities

- i. Funeral parlour
- j. Large format retail within the specified Large Format Retail overlay (see Figure 3 (below) for detail)
- k. Light Industry
- l. Maintenance and minor repair of buildings
- m. Motor vehicle sales and services
- n. Partial or complete demolition of any building where the work is required to make the site safe after an accidental fire, flooding or earthquake event.
- o. Retail activities
- p. Rural and Animal Services
- q. Saleyards (located at All DP 3797, All DP 6178, Lots 145,152,153,154, Pt Lot 146 DP 19)
- r. Seismic strengthening
- s. Visitor accommodation

10.4.7 Outer Business Zone - standards for permitted activities

For the Outer Business Zone, the permitted activities specified above must comply with the following standards:

a. Height

The maximum permitted height for any building in the Outer Business Zone is 9m.

b. Yards

All buildings, adjoining land zoned Residential, must comply with a setback for all yards of 4.5m.

c. Building footprint

Buildings in the Outer Business Zone must not exceed a building footprint of 800m².

d. Building frontages

Publically visible building façades must include doors, windows, building modulation or other architectural detail for no less than 60% of the total façade measured from one site boundary to another.

e. Screening

Any site boundary with an adjoining Residential zoned site shall be screened to a height of 2m with a solid wall or planted with dense vegetation growing to 2m in height. Any planting must be regularly maintained. Any plants that perish must be replaced immediately.

f. Landscape and Screen Planting

- i. every 5 car park spaces provided must be separated by a 2m x 2m landscaping box with planting that is maintained.
- ii. where 20 or more car parking spaces are provided, all parks must be bound by a 1.5m wide landscape strip that must be planted with low shrubs and groundcover below 0.75m in height and regularly maintained. Any plants that perish must be replaced immediately.

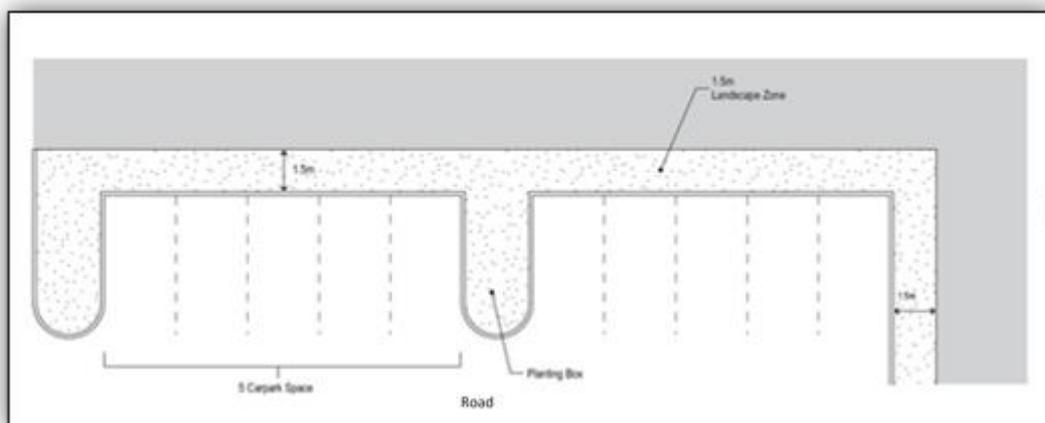


Figure 2 Outer Business landscaping example

g. Outdoor Storage

Any outdoor storage area must be screened from view by either a closed board fence or wall of not less than 2m in height or dense planting capable of growing to 2m in height. Any planting must be regularly maintained. Any plants that perish must be replaced immediately.

h. Noise ~~Received in the Business Zone~~

~~Compliance with Rule 3C.4.2.~~

~~All activities shall be conducted so as to ensure that noise from the site shall not exceed the following noise limits, at any point within the boundary of any other site in the Business Zone:~~

~~At any time ————— 65 dBA L₁₀~~

~~10.00pm to 7:00 am the following day — 85 dBA L_{max}~~

i. ~~[Deleted PC55]~~

~~Noise Received in Residential Zones~~

~~All activities shall be conducted so as to ensure that noise from the site shall not exceed the following noise limits, at any point within the boundary of any Residential Zone:~~

~~7.00am to 10:00 pm ————— 50 dBA L₁₀~~

~~10.00pm to 7:00 am the following day — 40 dBA L₁₀ and 60 dBA L_{max}~~

j. ~~[Deleted PC55]~~

~~Measurement~~

~~Sound levels shall be measured in accordance with New Zealand Standard NZS 6801:1991 Measurement of Sound, and assessed in accordance with NZS 6802:1991 Assessment of Environmental Sound.~~

k. Parking

Sites outside the area shown in Appendix ~~3B.6~~ ~~4C~~ shall provide car parking in accordance with Rule ~~3B.4.5.~~ ~~A2 2.4 (Page 100).~~

l. Visibility at Railway Crossings

~~Compliance with Rule 3B.4.2 and Appendix 3B.5.~~

~~At all road/rail level crossings the areas shown in Appendix 2F (Page 202) shall be kept clear of buildings and of other obstructions which might block sight lines.~~

m. Access ~~to Arterial Routes and Intersecting Roads.~~

~~Compliance with Rule 3B.4.2 and 3B.4.3.~~

i) ~~Vehicle crossings constructed to the arterial routes defined in Appendix 2B (Pages 192 and 193) shall meet the following standards:~~

a. ~~The minimum sight distance to and from the vehicle crossing shall comply with the criteria in Appendix 2C.~~

b. ~~The location of the crossing shall comply with Appendix 2C.~~

ii) ~~Vehicle crossings constructed to roads which intersect with the arterial routes defined in Appendix 2B shall be sited in accordance with Appendix 2C.~~

~~NB Constructing vehicle crossings may also require the approval of the road controlling authority.~~

n. Glare

Compliance with Rule 3B.4.4.

i) ~~Exterior lighting shall be directed away from public places and adjoining premises and shall avoid any spill of light which might distract motorists.~~

ii) ~~Metal cladding or fences shall not be left in such a condition that the reflection of sunlight would cause traffic danger.~~

o. Signs in the Business Zone

i. Compliance with Rules 3E.4.1 and 3E.4.2.

ii. Signs located above the footpath or carriageway, provided that no part of such signs shall be less than 2.5m above the footpath or 5.5m above the carriageway.

A) Signs Affecting Safety

i. Signs shall not detrimentally affect traffic safety or traffic control by creating a visual obstruction or by causing confusion to motorists.

ii. Signs shall not reduce or obstruct the conspicuity of official signs or traffic signals.

iii. Signs shall not be structurally unsound or unsafe.

iv. Any illuminated signs shall not be flashing, animated or trivision.

v. Signs shall not involve revolving lights, lasers or aerial signs.

B) Signs on Roads

The only signs permitted on any part of a legal road in the Outer Business zone, are:

i. Official signs

ii. Official Information boards

iii. — No more than one sign placed on the footpath per business premise. Such signs shall not exceed 0.8 square metres in area and shall only be placed adjacent to the kerbline outside the premises which they advertise.

iv. — Signs located above the footpath or carriageway, provided that no part of such signs shall be less than 2.5m above the footpath or 5.5m above the carriageway.

NB Signs on roads also need approval from the road controlling authority.

C) Signs on Private Property

i. — The only signs permitted on sites adjoining SH54, are:

a. — Temporary signs permitted by Rule A2 2.2. (Page 97).

b. — Traffic signs, or signs showing the number of the premises or the location, timetable or other details of any utility or public facility.

c. — One pole sign not exceeding 3m² for any permitted use of the premises.

d. — Signs written on or affixed to a building

ii. — On sites which do not adjoin SH54, any sign which complies with A) above shall be a permitted activity.

- p. Large Format Retail overlay
- i. The gross floor area of any building within the Large Format Retail Overlay must be 2000m² or larger
 - ii. The road frontage(s) of all sites within the Large Format Retail Overlay that are not occupied by site access must be landscaped and maintained for a depth of at least 2m.
 - iii. All vehicle access to sites from State Highway 54/Aorangi Street, must be left turn in, left turn out only.

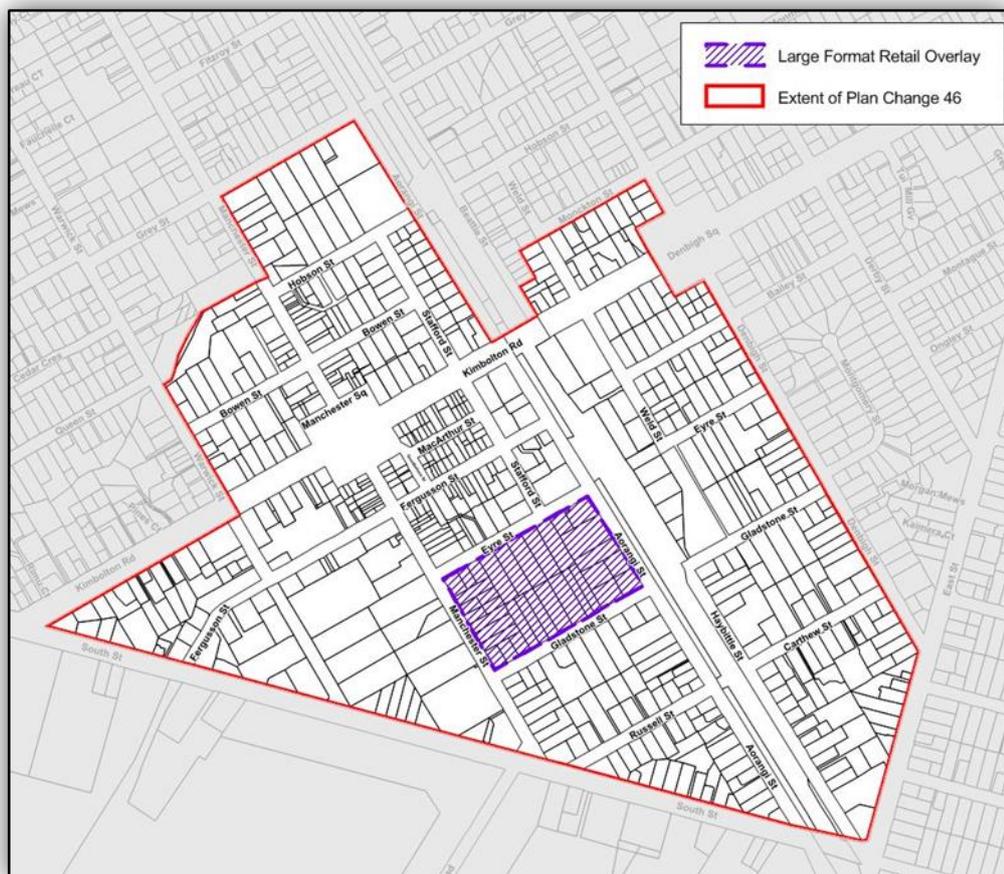


Figure 3 Large Format Retail Overlay

q. 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

10.4.8 Restricted Discretionary Activities - Outer Business Zone

The following are restricted discretionary activities in the Outer Business Zone:

- a. Any activity, specified in Rule 10.4.6 above, that does not comply with one or more of the standards in Rules 10.4.7 a-o.

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

- scale
- building form (design and materials)
- location
- traffic generation, site access and parking
- noise
- screening/storage/landscaping

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 Business Zone, assess any application in terms of the following assessment criteria:

- i. Whether the application will result in any adverse effects on amenity values of neighbouring properties or the character of the Outer Business Zone
- ii. Whether the application remains consistent with the intention of the standard(s) it infringes.
- iii. The extent to which there will be adverse effects where an application does not meet two or more standards.

- b. Demolition of any building

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

- mitigation of adverse visual effects from vacant land

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 Business Zone, assess any application in terms of the following assessment criteria:

- i. The extent to which the proposed mitigation will minimise adverse visual effects from vacant land

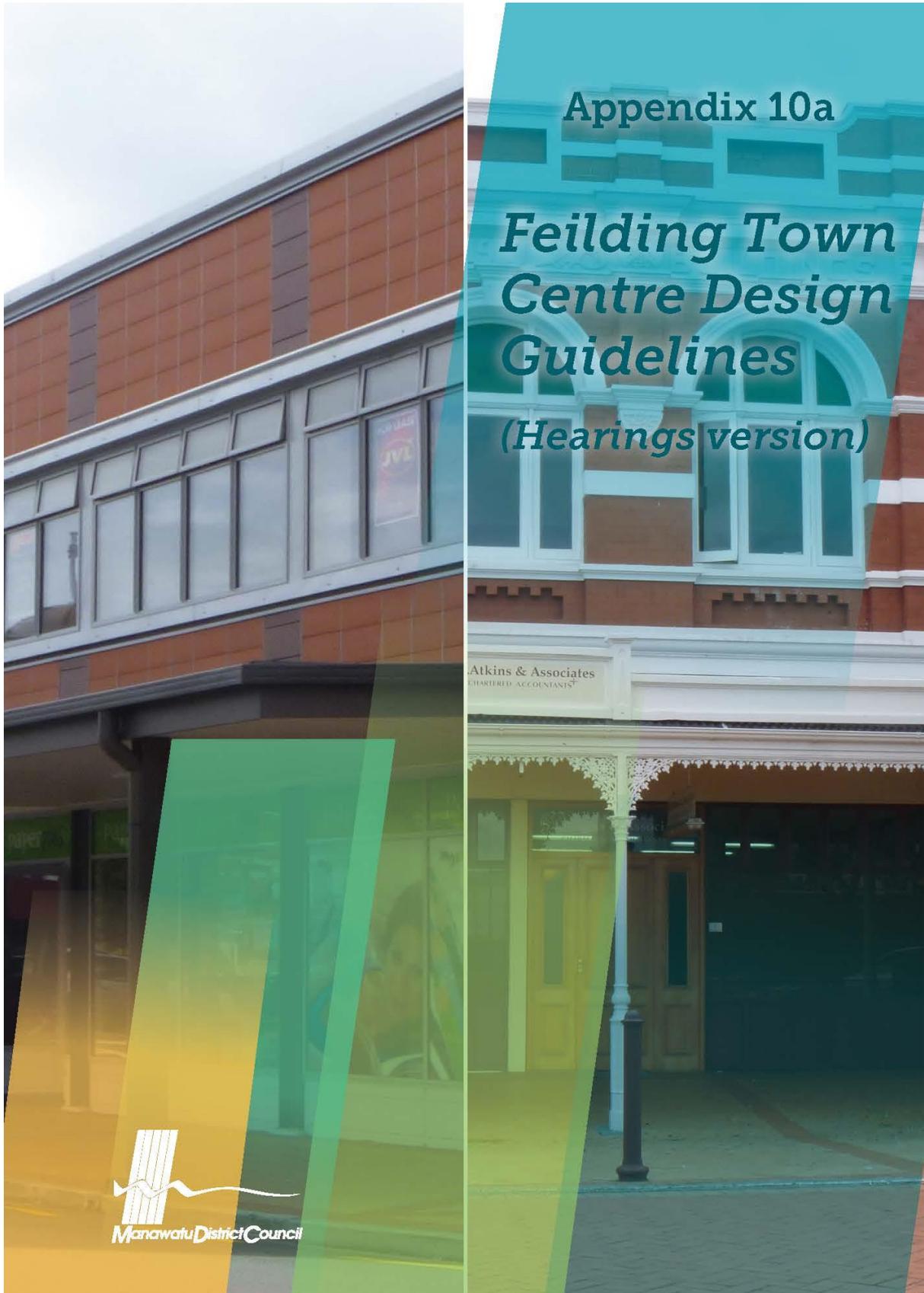
10.4.9 Discretionary Activities - Outer Business Zone

The following shall be discretionary activities in the Outer Business Zone:

- a. Accessory buildings
- b. Assisted living accommodation
- c. Dwellings
- d. Home occupations
- e. Industry
- f. Seismic strengthening that does not meet the performance standards for a permitted activity
- g. Service Stations
- h. Supermarkets
- i. Tourist facilities
- j. Visitor accommodation

10.4.10 Non-complying activities - Outer Business Zone

Any activity in the Outer Business Zone that is not specifically provided for as a permitted, restricted discretionary, or discretionary activity is a non-complying activity.



Feilding Town Centre Design Guidelines

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How should the Design Guidelines be used?

The design guidelines should be used by town centre property owners, architects, planners, engineers from the earliest stages of the design process. It will also be used by Council in its assessment and decision making on applications for resource consent for town centre development.

It is recommended that the design process be undertaken in consultation with the Council to ensure that any opportunities and constraints are recognised from the outset and the design and approval process is as efficient as practicable. A process for this is recommended below.

Design Process

To achieve the best outcomes in terms of design effectiveness and process efficiencies, the applicant and / or their advisers should consider the process described in the diagram 2 below.

Each of these process steps is detailed below. These are not intended to be prescriptive or necessarily complete in every sense, but are common to best practice design processes:

1. Research

- Be familiar with your site and get as much information as you can e.g. aerial photos, cadastral plans, titles, underground services, any historical information about the buildings or site. Council can help you with identifying sources.
- Read the design guidelines to understand what Council considers to be important in the design.
- Look at the District Plan to understand the resource consent requirements in terms of landuse activities, and bulk and location requirements.
- Consider who the professionals are that you may need. Council strongly advocates that for a new building or substantial changes to an existing building that the developer engages a registered architect. A good architect will know who else will be needed to assist in terms of structural design e.g. to provide specialist seismic design or strengthening options, survey or other engineering services. A planning consultant may also be required to coordinate and put the required consent application to Council.
- A conservation architect may also be needed if the development site has a scheduled building (refer to District Plan for the schedule of these).
- Each of these professional groups has institutes and lists of people in your area to contact.



Diagram 2.

2. Communicate

- Meet with a Council planning officer (ring and make an appointment) to discuss your ideas. It may be that you need to meet with several different officers (e.g. to help with infrastructure enquiries).
- There are specific requirements that need to be satisfied with a resource consent application. Council will advise you of their information needs at your first meeting. Make a list of the questions you would like addressed in the meeting. You may be able to send these questions to the Council prior to the meeting, to allow officers to prepare. This will also assist in knowing which officers are likely to be needed.
- Council will also provide technical assistance for owners of Heritage Buildings (refer to District Plan for list) in the town centre through its Design Panel. Council will make external expert urban design, architect and structural engineer advisers available for consultations to discuss options for development.
- Consider your neighbours' interests. Do you know what their plans are? There may mutual benefits to you and your neighbours if there are shared development interests.
- Recognise that the Council may need to process your application through a publicly notified process. It is usually good practice to know your neighbours' interests prior to that process. Often there can be ways of adjusting design to reduce or eliminate issues.

3. Assess

- If the site has an existing building there will be a range of options for its reuse and adaptation. Council encourages existing or prospective owners of older buildings to thoroughly assess options for strengthening and reuse, especially if the building is a scheduled building (refer to District Plan for schedule).
- Assess the District Plan provisions and the design guidelines thoroughly to understand these and their intent.
- Other technical and statutory requirements will need to be given consideration e.g. the Building Act 2004.
- If you are using a professional like an architect and/or planner they should do this with you. It is very useful to have this as background to support your consent application.



Feilding Hotel, 9 Manchester Square (constructed 1875-1910)

4. Design options

- Having understood the site and building (if applicable), design concepts for the new building or extension can be developed.
- It is advisable to visit the Council again with a few options and get officers advice and comments. They will have thoughts on how well the options satisfy the design guidelines and District Plan rules.
- As noted under Communicate, Council has engaged a design panel that can provide advice to developers and may also be used to review design proposals, as they bring expertise that is not held within Council.

5. Document

- At your first meeting, Council officers will have advised you of the information that they require from you.
- It is important to follow this advice as Council will continue to ask for further information until it is satisfied that everything is complete – this will take time and may add to processing costs for your application.
- Include as much information as you can with your application, including any information you have gathered.
- A design report will need to be submitted which demonstrates how the proposal satisfies all of the design guidelines in this document. Commentary and an objective assessment is not just a tick box exercise. Council can provide some a sample of design report for you to use as a gauge as to what is required.
- The process of documentation is usually best undertaken by a professional as they understand the Council requirements and can provide an appropriate level of assessment.
- Submit the documentation to Council for consideration.



Feilding Totalisator, 47 South Street (constructed 1917)

02 Context

This section of the design guidelines characterises the Feilding town centre. This background assists you to understand what has influenced the town centre over time. It also identifies the unique qualities of the town centre that need to be maintained and enhanced. The purpose of the design guidelines is to encourage development that will contribute to it positively.

The requirements in this document recognise that there are significant heritage values in the town centre. It also recognises that development can be undertaken, having regard to these values, while still being reflective of good urban design principles.

Introduction

Feilding is the largest town in the Manawatu District. The town centre has a high concentration of late Victorian and early Edwardian buildings. Its history is dominated by agriculture and boasts one of the largest saleyards in the southern hemisphere. A number of national breeders associations built their head offices in the town and historic uses of many of the scheduled heritage buildings reflect this agricultural background.

The qualities of the town's layout, intactness of its buildings and the built form give the town high urban design and architectural values.

The town centre's heritage values are important to its character and 'sense of place'. Retaining where possible, existing heritage buildings is an objective of the District Plan. The Council recognises there will be challenges in retaining some buildings particularly given the changes to Building Act requirements with respect to seismic strengthening and the economic implications of this work. Any changes to buildings in Feilding may be recognised in the future as a significant period in the town's history.

The design guidelines are a mechanism to ensure that development during this period is viewed positively given the quality of the town centre that results.

It is essential that any new buildings should be designed to be sympathetic with and enhance the existing character and values of the town. New buildings should not replicate the existing but be of their own time, be of high quality design and make a contribution to modern architecture.

History

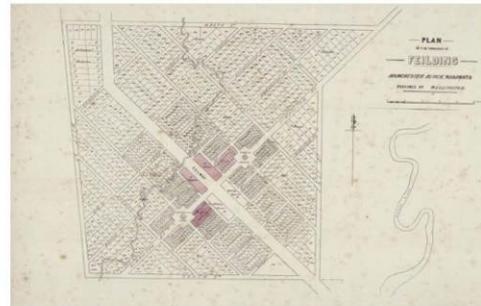
The town of Feilding was founded in 1874 and is named after Colonel William Henry Adelbert Feilding. Colonel Feilding was a director of the London-based Emigrants and Colonists Aid Corporation Ltd. Set up to assist people out of work to immigrate to New Zealand. He came to New Zealand to negotiate the purchase of 106,000 acres of land, now known as the Manchester Block, from the Wellington provincial government in 1871. (McKinnon, 2012)

The town was planned at the time of settlement with a symmetrical layout either side of the railway line. The current layout of the town follows the original plan closely. Two squares, Denbigh and Manchester, were proposed that were joined by Kimbolton Road. The siting of the railway and the courthouse have both retained their planned locations.

The first settlers arrived from Great Britain on 22 January 1874. As the farmland hadn't been surveyed when the first immigrants arrived, the township was established first with cottages being constructed on one acre of land each. Tenants became the owners of the property after 3 years of rent payments. In 1874 "the township of Feilding at present consists of a weatherboard store, an accommodation house (in course of erection), a few bark huts, some tenets, and a long barracks, also built of bark and capable of house about a dozen families. Parties of the immigrants who had already arrived were at work clearing roads into the bush." *New Zealand Mail* 1874, (Davies & Clevely, 1981)

Within 3 months of the establishment of the settlement, 40 weatherboard buildings were constructed, a large schoolhouse and a school-master's residence was in the process of construction. (Davies & Clevely, 1981).

A major change to the Square was implemented in 1883 when four kerosene street lamps were installed and kept alight at night for £2 per month. In 1891 footpaths in the centre of the town were paved and trees were planted on Arbor Day around Manchester Square and Kimbolton Road. (Davies & Clevely, 1981)



Plan of the township of Feilding, Manchester Block, Manawatu (1870's)



Photograph of the township of Feilding, Manchester Block, Manawatu (1878)



Photograph of Post Office (190P)

The current built form of the town dates largely from the late Victorian and early Edwardian period, with most scheduled heritage buildings built between 1893 and 1910. However, several notable buildings were built in the immediate post-war period and 1960s.

In 1886 Feilding became linked with Wellington by the Manawatu Wellington Railway Company’s Wellington-Longburn Line. The first railway station was built in Feilding in 1887 but was replaced in the same location in 1960 following a fire (Davies & Clevely, 1981). The first purpose-built Post Office was built in 1902 and this was replaced in 1949, also on its original site, following earthquake damage to the earlier building in 1942. (Bowman & Burr) After many years of public agitation and fundraising, the Feilding Community Hall was opened in 1956.

By 1877 Feilding had a population of 1600, 4,500 by 1921 and 13,887 in 2006. (McKinnon, 2012)



Photographs of Manchester Square, Feilding 1900 (above) and 1905 (middle) and 1910 (bottom)



Aerial photograph of Feilding (1975)

Building Styles

Most of the existing buildings were built between 1893 and 1910 (late Victorian, early Edwardian). This was a period when Classical architecture was popular especially for commercial buildings. Classical architecture was originally that of Greece and Rome. It was based on the use of strict proportions, symmetry of facades and the use of "orders", a column design with a base, capital (top) and an entablature (the section of building supported by the column). There were five main orders and each had its own specific detailing.

The columns could be free standing, attached or part of the wall of the building. The entablature usually had a moulding called an architrave, then a frieze and above that was a cornice projecting beyond the wall, often with supporting brackets. Above the entablature was usually a parapet, which usually had turned balusters and a central pediment, a small decorative gable either curved or triangular. These basic Classical elements were usually repeated around openings and other parts of the building to enliven the façade.

Different variations of Classical architecture were used in Feilding. These included Italianate, Baroque, Free Classical and Stripped Classical. The Italianate style was loosely based on Italian palaces of the 15th and 16th century especially those in Florence and Rome. It was a most popular style for shops in New Zealand in the mid Victorian to early Edwardian period. Feilding has only two examples of the style.

Unusually in New Zealand, most older buildings in Feilding were designed in the Baroque revival style. This used Classical elements in a very ornate and highly decorative way. Early Baroque style (called Mannerist) architecture exaggerated parts of the building. Commonly pediments were curved and detailing such as exaggerated stone joints and garlands were popular. Free Classical architecture used the standard elements, but in a non-standard way. Stripped Classical omitted much of the decoration but retained the symmetry and proportions. Art Deco was a form of Classical architecture but with stylised, geometric decoration.

Feilding has few modern buildings but even these refer to Classical architecture in their elements and proportions and could be seen as an even more stripped form of the Stripped Classical style.



Feilding Community Centre, 21 Stafford Street (constructed 1910)

Heritage Buildings

The District Plan has identified buildings with significant heritage values to ensure the values can be understood and protection where possible, and decisions about their development made accordingly. These buildings are detailed below.

Buildings may not physically demonstrate all of the values for which they have been scheduled. There are association and use values as well as physical character values that make the building's collective contribution to the Feilding town centre's character.

Many were built by important people in the history of the town, such as Mayors, while others are good examples of architectural styles, were designed by important local architects or were built by a highly regarded builder. A number are rare or unique in New Zealand for their age, use or where nationally important organisations were founded.

The physical qualities of heritage buildings can be used in new buildings without mimicking the old styles. It is these qualities that are represented in the design guidelines.

Those buildings already registered by the NZ Historic Places Trust or proposed for scheduling include:

- **84 Aorangi Street (Feilding Civic Centre)**, built 1957, good example of Modern Movement architecture, built following extensive public fund-raising
- **52 Fergusson Street (Former Bank of New Zealand)**, built 1965, good example of the Modern Movement architecture, the 3rd BNZ on the site since 1879, important landmark
- **57 Fergusson Street (Gracie Building)**, built in 1904, a good example of Mannerist Baroque, it was built as an hotel for Joseph Darragh
- **62 Fergusson Street**, built in 1900, a good example of Free Classical
- **86 Fergusson Street (Keith Smith Jeweller)**, built in 1926, a good example of Stripped Classical, was built for Barraud and Abraham
- **93 Fergusson Street (Fergusson Buildings)**, built 1910, as a drapery for Joseph and William Bramwell, both Borough Councillors
- **97 Fergusson Street (Leader and Watt)**, built circa 1900, a good example of Free Classical, was built for Haybittle grocery and hardware
- **101 Fergusson Street (Turner's Gifts and Luggage)**, built 1893, good example of Free Classical, was built by William Wilkinson who built most of the town
- **103 Fergusson Street (Turner's Gifts and Luggage)**, built circa 1910, good example of Free Classical, was built by W Wilkinson



Photograph of 52 Fergusson Street - Modern Style (1965)



Photograph of 93 Fergusson Street - (1910)

- **71 Fergusson Street (Dominion Building)**, built circa 1910, good example of Free Classical, was tenanted by the former Mayor S James Tingey a chemist
- **1 MacArthur Street (Terry Urquhart Law)**, built 1901, good example of Italianate, was built as an office for the Colonists Land and Loan Co, then became the BNZ and finally lawyers offices
- **33 Kimbolton Road (White House - Medical Centre)**, built in 1915, good example of Arts and Craft and the previous and current building have been doctor's consulting rooms since 1889
- **37-41 Kimbolton Road (New World building)**, built in 1912, the founding branch of the NZ Farmers Co-op, and its head office
- **35 Kimbolton Road (former Rangitikei Club)**, built 1911, good example of Free Classical
- **85 Kimbolton Road (Bin Inn)**, built circa 1900, a good example of Free Classical, built for Alfred Eade
- **14 MacArthur Street and 79-81 Kimbolton Road (former New Zealand Farmer's Motor Co)**, built in 1907, the original NZ Farmers Motor Co, one of the earliest vehicle garages in NZ, as well as where the NZ Motor Trade Association began
- **4 Manchester Square (Visique)**, built 1904, good example of Edwardian Baroque, built as shops with offices above for solicitor Alfred Richmond and land agent Arnold Atkinson
- **9 Manchester Square (Feilding Hotel)**, built 1875-1910, good example of Edwardian Baroque, was built as an hotel
- **8 Manchester Street (former Post Office - My Farm)**, built 1949, second Post Office on the same site, good example of Modern Movement architecture and of the Public Works Department designs
- **52-58 Manchester Street (Spillards)**, built 1901, good example of Edwardian Baroque, built as shops for Austrian jeweller James Hugel
- **60-62 Manchester Street (Williamson building)**, built 1901, good example of Free Classical, built as shops with offices above for Archibald Williamson by William Wilkinson
- **68 Manchester Street (JD's Linen)**, built 1901, shops with offices above Free Classical, built as shops with offices above for Archibald Williamson by William Wilkinson
- **70 Manchester Street (The Shed Hair Co)**, built between 1897 and 1930s, good example of Art Deco, built for Edmund Goodbehere by William Wilkinson
- **72 Manchester Street (Lotto shop)**, 1897, Free Classical, built for 2 women, Mrs Frederick and Mrs Woodlams by William Wilkinson



Photograph of 5 Goodbehere Street - (1901)



Photograph of 14 MacArthur Street - (1907)



Photograph of Art Centre, 35 Kimbolton Road (formerly Rangitikei Club) - constructed 1911



Photograph of 8 Manchester Street - (1949)

- *Manchester Square (Carthews building)*, built between 1887 and 1902, good example of Free Classical, built as shops with offices above for Mayor William Carthew
- *81 Manchester Street (Focal Point)*, built 1893, good example of Simplified Classical, R Hannah and Co were the first tenants
- *50 Manchester Street (Denbigh Hotel)*, built between 1874 and 1910, good example of Italianate, built as an hotel
- *10-11 Manchester Square (Aymler building - Feilding Information Centre and MP of Rangitikei office)*, built 1906, good example of Free Classical
- *22-26 Stafford Street (Romney House)*, built in 1964, built for the national head office of the Romney March Sheepbreeders Association, based in Feilding between 1905 and 2007, a good example of Modern Movement architecture
- *21 Stafford Street (Feilding Community Centre)*, built in 1907, good example of Edwardian Free Classical and is unique as the first community centre in New Zealand
- *39-41 Fergusson Street (McKinnons building)* built in 1923, a locally rare example of an Arts and Crafts style building
- *25 Kimbolton Road (Feilding Club)* built in 1897, representative example of a Victorian Club building
- *47 Manchester Street (Lawries building)* built in 1917, significant as the first branch of the NZ Farmers Co-operative Distributing Co, now PGG Wrightson
- *75-77 Manchester Street (Wild at Heart/Striped Marlin)* built in 1916, unusual neo-classical inspired Art Nouveau style building
- *91 Kimbolton Road (Feilding Court House)* built in 1909, significant for its historical associations, original design and contribution to the streetscape
- *71 Kimbolton Road (former Feilding Jockey Club - John Key Law House)* built in 1916, locally significant for historical associations with local horse racing and former Mayor Edmund Goodbehere
- *42 Manchester Street (Feilding Livestock Centre)* high regional significance for social and historical values
- *47 South Street (Feilding Totalisator)* built in 1917, national significance for social, historical, cultural, architectural and technological values
- *14 MacArthur Street/79-81 Kimbolton Road (former NZ Farmers Motor Co)* built in 1907-1912, associated with the earliest vehicle use in the Manawatu



Photograph of 50 Manchester Street, Denbigh Hotel - (1874-1910)



Photograph of Feilding Civic Centre, 84 Aorangi Road (constructed 1957)

Changes to scheduled heritage buildings

The design guidelines provide the basis for development in the Feilding town centre. These will apply if a heritage building is altered or is to be replaced. There are specific guiding principles below that need to be considered in the design and decision making process in regard to heritage buildings which are scheduled in the District Plan.

Generally, visible external work to heritage buildings should be limited to repairs, maintenance, restoration or reconstruction, as defined by the ICOMOS NZ Charter. The use of appropriately qualified and experienced people to guide and carry out all work is highly encouraged and is consistent with the Charter.

A conservation plan for each heritage building is desirable as this will set out the parameters for change while respecting heritage values. Where a conservation plan has not been written, the following should guide additions and alterations.

Routine repairs and maintenance are encouraged. When carrying out repairs and maintenance, the main principles are:

- to maintain rather than repair
- to repair rather than replace
- where replacement is essential, the use of materials that match the original as closely as possible is required

Restoration and reconstruction to enhance authenticity is encouraged. When restoring or reconstructing, it is important to research the original form, materials and details of the building. Restoration or reconstruction should be based on verifiable evidence from early photos, drawings or other reliable documentation.

Where you are unable to find any useful evidence, any alteration to a part of a building which is not authentic, should be of a design based on a simplified modern interpretation of what was common in the period.

Reconstruction of brick chimneys is encouraged as these were important elements on the skyline.

Restoration of original colour schemes is encouraged.

When adapting the exterior of a building, the main principle is to have an understanding of the heritage values, fabric and spaces of the building and aim for their retention in any proposed work. This can be achieved by:

- retaining, repairing and maintaining all significant external fabric
- avoiding removal or obscuring of significant external fabric, elements and features
- respecting the building style, form, planning, materials, craftsmanship, scale and patina

When additions are proposed, these should:

- be on elevations not visible from the street
- avoid additions on significant elevations, even if they are not visible from the street, including the roof
- be compatible with the architectural character of the building
- not dominate the original building
- not contrast harshly with original materials, building or roof form, proportions, colour, or scale

- maintain the same orientation, proportions and rhythm of building composition
- if a large addition, separate it from the original building
- not negatively affect the setting of or views to or from the building
- should be of a design based on a simplified modern interpretation of the original, not replicating the original

Where the removal or replacement of non-original elements is proposed, this should be designed to restore or reconstruct original external elements. Removal of original elements should be avoided. Removing sections of wall beneath original windows to create a higher opening should be avoided on elevations visible from the street.

Existing Built Character

The essential characteristics of the original town plan have been retained in the Feilding we see today. The squares remain distinctive - Manchester Square particularly so.

The built form that creates the 'enclosure' of the square as a space and gives scale to the town centre streets is also largely retained as can be seen by photos circa 1910.

Most buildings are two storeys usually retail/commercial services on the ground floor. Many of first floor office spaces are currently vacant

The retail shop front design is typical of the period with shopfronts all glass above a small plinth known as a store board.

Entries are usually recessed with angled or straight glazed flanking walls matching the shopfront. Generally the buildings that contribute positively to the character of the town:

- are built to the street boundary
- are rectangular with elongated or tall proportions
- are designed based on Classical styles, many of which are highly detailed
- express corners - especially important at the external and internal corners of Manchester Square
- have horizontal or stepped parapets hiding the roof behind
- parapets are ornate, divided into sections and originally many had balled finials, obelisk designs or pediments on piers
- have simple or ornate pediments
- have verandahs (unadorned or decorated posts, with or without fascia and with or without brackets)
- can be long and narrow or very wide in tenancies occupying several sections or a whole block
- are of different heights, with little or no alignment of parapets or even shopfronts
- are constructed of masonry with rendered details

It is this built character that the design guidelines seek to reflect in new construction or adaptation of existing buildings.

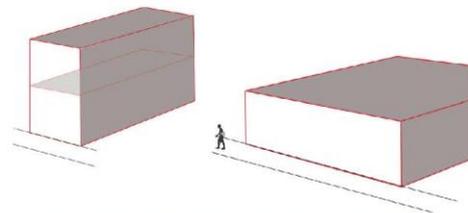
03 Built Form

Built form means the principal shapes and positioning of buildings on their sites. The built form determines the character of the street as public space. The character of the Feilding town centre’s streets benefit from the containment and typically continuous frontages provided by two storey buildings which line up on the footpath boundary.

- BF1 Shape - Buildings are to be rectangular shaped - taller than they are wide. Several rectangular shaped buildings can be joined to make a block, or a block built as one, but the shapes should remain visually clear;
- BF2 Location to front - Buildings are to be positioned so their front walls abut the footpath boundary;
- BF3 Continuity - Buildings are to extend across the full width of the site frontage to ensure that the street’s ‘built’ edge is continuous (with the exception of walking access connections as noted in BF 7);
- BF4 Roofs - Building roof forms are to have a medium to low angled pitch of 35 degrees or less (not including verandahs) and are not curved;
- BF5 Openings - Buildings are to have door and window openings to the street, not blank walls [refer also to Facades for details];
- BF6 External corner expression - Buildings on external corners are to be visually emphasised with architectural elements such as taller forms, or parapets, cornice, pediment or similar features that wrap around the building;

good

poor



Individual buildings should be taller than they are wide, or if joined as a block, expressed as separate forms. Two storey buildings rather than one storey buildings give better containment to the street space. Long low building shapes with no horizontal breaks should be avoided. As described in the photograph below (left) there is a ‘rhythm’ of tenancies along a typical town centre street that generates a diversity and flexibility in business offerings, and an interesting, attractive environment that attracts people to the town.

good

poor



The Darragh building (example on the left) is a good example to show that although built as one block, the rectangular shapes are visually clear and there is a frequency or rhythm of tenancies along the street. In contrast the poor example (right) has no breaks in its long horizontal form, has blank walls with no windows, is built back from the footpath boundary and is not appropriate in the town centre.

good

good

poor



The corner is expressed well with a taller element (example left) and the shape of the building and cornice detail (example centre). The poor example (right) has no elements that highlight the corner and has blank walls at street level.

BF7 Walking access lanes - Buildings should be built the full width of the site (refer to BF 3). The exception is if there is a need for a walking lane that connects street to street, or to rear parking. The maximum width for these lanes is 5 metres and they are to be straight. Building edges to the lane are to have ground level openings (windows/doors) and/or other surface treatment (e.g use of materials with texture, sculptural elements, recessive and projecting elements). There is to be no less than 50 metres of continuous built street frontage between each lane.

good

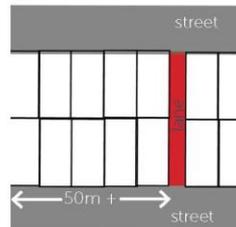


Diagram in plan view - no less than 50m continuous built street frontage between walking lanes.

BF8 Vertical expression - Building facades are to show a vertical hierarchy of a base (ground floor), a middle (upper floor) and a top (parapet, cornice, pediment);

BF9 Modulation - Building facades are to show vertical divisions by the use of bays formed by projecting and recessive elements.

good



poor



Lanes are to have visual interest in terms of material use, activities that 'front' to them, windows and doors - they present an opportunity for a more public space that is sheltered, smaller scale and offers a different experience than streets

good



Vertical hierarchy of a base, middle and top is expressed in the size and shape of openings and balconies.

good



The good example above shows modulation created by a series of structural bays - highlighted in the dark colour in this instance. The bay 'modules' continue up the building to the top.



In plan view, modulation can be seen as a series of bay modules formed by projecting and recessive elements.

04 Facades

The facade is the face of a building which is exposed to a street. Streets are public spaces where the town centre’s buildings are seen and interacted with. Accordingly the qualities of these facades are influential to the way in which people perceive and experience the town centre.

- F1 Openings - Buildings are to have symmetrically located windows above ground level and main doors at ground level orientated to the street (i.e not the side or back). Buildings that have more than one frontage (i.e corner) are to include windows and doors on both edges if there is an appropriate length of frontage;
- F2 Visual permeability - Windows and doors in the facade are to be frequent - the ground floor window area (which can include glazed doors) is to be no less than 70% of the total ground floor wall area. The glazing is not to be blocked out with opaque or reflective film, or other treatment that obscures the visual connection from the outside into the building;
- F3 Verandah - Buildings are to have a verandah attached that extends over the footpath and the full length of the building frontage. The verandah is to be supported by posts on the outside line of the kerb, have a fascia depth of no more than 450mm, and not obscure windows or architectural details. Bullnose verandah styles are acceptable, but awnings are not. Verandahs should complement the building style to which it is attached;
- F4 Parapets/ skyline - New buildings are to incorporate skyline features such as parapets, cornices, classical gable elements, column caps and flagpoles or similar features to create visual interest on the skyline;



The facade of the Feilding Hotel is a good example as its openings are placed symmetrically, and as a corner building it has doors to both frontages



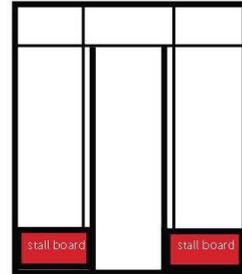
The frontage of the example above (left) has insufficient (none) window area (as well as being unsuitable given its lack of corner treatment). The example right has good window area, but this is 'blocked out' with opaque film (as well as having an inappropriate facade cladding material)



The verandahs of the BNZ building (left) are good as they extend the width of the footpath and are supported by posts. Although a modern interpretation, the BNZ example also shows a parapet line and extended vertical structural features at the corners. The building entrance is emphasised with a change in verandah height. The example on the right is poor as it has no verandah and has no parapet features.

- F5 Shopfronts and entries - Building entries and shopfronts are to be glazed and recessed with bays - these are to have a solid base 'stall board' of 300-600mm in height;
- F6 Detail and ornament - Building facades are to include ornamentation and detailing which complements the building style;
- F7 Materials - Building facades are to have detail and depth - not be a flat plane. Materials should contribute to the compositional theme of the building and be used to enhance the form of the building including its modulation, vertical hierarchy and decorative elements;
- F8 Colour - Building colours, whether a painted finish or natural materials, are to highlight features such as joinery, decoration or modulation of the building form. This is often done by using a base colour for the body of the building and two or three contrasting colours to highlight features; and
- F9 Lighting - Buildings are to have lighting to highlight building facade features and/or provide under verandah light to the footpath.

good



Recessed entrances with glazing atop a solid stall board make a special feature of the entry point and create interest on the street.

good



good



The two examples (above) show a combination of modern materials (plastered concrete, tiles and brick) to create visual interest - the colours and detail are comparable to traditional materials. The modern example on the right uses colour in materials to highlight traditional vertical and horizontal form modulation.

good



The example (above) shows lighting used on the facade to highlight the continuous building line, and depth of features such as windows and pediment lines. Internal lighting highlights the shop content and reflects light to the street.

good



good



good



poor



The examples (above left) show detailing in facades - typically a name or date features, and the materials and openings (such as windows) have some depth to them which generates shadow lines and visual interest. The two examples on the right contrast with each other - the good example has a solidity and realness to form with a fineness to the detailing. The poor example looks 'fake' - it uses sheet product material and the details are bulky.



05 Strengthening and Restoration

Some older buildings in the Feilding town centre have heritage values and are scheduled in the District Plan.

Principles that apply to alterations and additions to heritage buildings are described in the Context section under the heading Changes to Heritage Buildings. These are to be referenced in considering changes to heritage buildings.

Changes to buildings to provide the required restoration and strengthening benefits generate some specific issues which are addressed by the requirements below. If strengthening is impracticable, the building may need to be demolished in whole or in part.

Where buildings have to be removed, all of the points in design guidelines document will need to be applied to their replacements.

SR1 Internal strengthening - The preference for building strengthening is for it to be internalised. Strengthening beams or floors are to be designed so as not to cut across windows and internal space proportions are to be maintained;



SR2 External strengthening - If external strengthening has to be used avoid the street facade if possible, or at least do not obscure features such as windows or modulation; and

SR3 Facade retention - Retaining a building's street facade is preferable to its demolition. Where the facade is retained, new structure behind is to fit the facade features - window and door openings are to be reused and not blocked in, new structure is to remain below the facade height, and original floor heights are to be repeated.



The two examples of internal strengthening above (top) are good as they utilise strengthening columns and beams that sit away from windows (top left) and are not obscuring the proportions of internal spaces (top right). The example directly above is poor as the cross brace is clearly cutting across the window space.

poor

good



The two examples of external strengthening above contrast. The poor example (left) has cross braces (painted green) that run diagonally counter to the building's modulation. The good example (right) has a portal type bracing that fits with the door and window frame proportions and is painted the same principal white colour to de-emphasise it.



06 Signs

Signs on buildings are important to the function of the town centre. Signs assist customers and can be used to highlight the goods and services on offer at that site. It is important to the town centre’s visual coherence that signs remain subordinate to the overall street scene and their size relates to their purpose. Their placement and design should contribute positively to the character of the town centre.

- S1 Purpose - Signs on buildings are to be for the purpose of identifying the business location and/or the products and services it sells. Signs or billboards that advertise products or services not available on the site it is attached to are not acceptable;
- S2 Style - The style of the sign, its lettering type and colour is to complement the building style;
- S3 Location - Signs are to be located on a verandah fascia or under the verandah. Signs on facades above verandah height are not to project above the building parapet or out from the frontage. Signs should not obscure windows or doors; and
- S4 Branding - The use of the whole building as a 'sign' to brand the building through block colour is not acceptable.

good



poor



The above example (left) is good because the signs clearly identify the building and businesses within its, but are discreet and do not extend to the area above the verandah or interrupt the facade details. The example above (right) is poor as the sign is not advertising products available on site and it obscures building facade features.

poor



poor



The above examples are poor as the signs project above the parapet (left) or the building frontage (right) and facade features.



The above examples are poor as the buildings are 'branded' with a dominant block colour and use the whole building as a sign.

07 Car Parking and Servicing

Car parking is an important amenity for the town centre. If parking is well located it will provide ready access to the shops, services and social amenities of the town centre, while retaining the town centre character.

Similarly servicing provision needs to be provided for to ensure that goods can be delivered and dispatched.

The small town scale of Feilding means that parking will typically be on streets, or in on-site parking areas. The location and design of surface car parking areas and service/loading areas can generate issues which are addressed by the requirements below.

- P1 On-site parking - Surface carparking is to be located behind the building it serves, not on the street frontage;
- P2 Trees and planting - Surface car parking areas are to include trees and low level planting (1 tree per 5 parking spaces);
- P3 Porosity - Surface carparking areas are to utilise porous pavement materials such as permeable pavers, concrete or asphalt;
- P4 Internal Parking - Carparking within structures is to avoid directly fronting to streets. Parking should be located at the rear of the building with access at the rear; and
- P5 Servicing Bays - On-site loading bays are not required. Most town centre business can be serviced from the street. If dedicated on-site service bays are provided they are to be located to the rear of the building they service with access from the rear.

poor



good



The example above (left) is poor because it is one large asphalt surface area. The example above (right) is good because it has the parking area interspersed with trees and low level planting which provides visual relief, shade and shelter for pedestrians as well as reducing heat gain in vehicles.

good



good



The above examples of unit pavers are good examples of surface types that can provide for stormwater runoff to at least in part be reduced in quantity. These materials also can be used to reduce the visual dominance of large open surface car parking areas. This can include paving whole areas with these unit type paving modules, or asphalt areas with insets of pavers in bands.

poor



The above example of parking which is directly visible from the street frontage is poor as the cars dominate the street space and create gaps in the 'active' street frontage that would normally be provided by business tenancies.

08 Glossary of Terms

Architrave	The lowermost element of a Classical entablature. Also used when describing a moulded surround to an opening, such as a door or window.
Balusters	a decorative post supporting a railing, usually turned with curves
Conservation plan	a document that identifies the cultural heritage value of a building and which recommends policies to care for the building to retain those values
Cornice	the upper part of the entablature, which is a stylization of the eaves of a temple. Cornices can also be added over windows and doors
Elements	parts of a building
Entablature	the upper, horizontal part of the Classical order supported by the column and is divided into the architrave, frieze and cornice
Fabric	material used to construct, line or clad a building
Finials	a pointed vertical element at the top of a roof, usually the top of the gable
Frieze	the middle part of the entablature
Garlands	a decorative wreath or festoon of flowers, foliage or fruit tied with ribbons
Obelisk	originally Egyptian, a tall, four sided monument which narrows towards the top which is formed by an elongated pyramid
Order	the arrangement and decoration of base (pedestal), column and horizontal top (entablature) of the five main designs on which all Classical architecture is based. These are the Tuscan, Doric, Ionic, Corinthian and Composite orders.
Parapet	a horizontal, low, solid or pierced plain or decorated wall on the edge of a roof or balcony
Patina	the change brought on materials by age
Pediment	originally the triangular end or gable of a temple with shallow sloping or curved cornices meeting in the centre but which can also be used over windows and doors
Spaces	rooms

RULE B4 – BUSINESS ZONE

(Refer Part 4.6– Page 28)

NB – Words outlined in bold type below have a specific definition contained in Rule E (Pages 165-173).

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

4.1 PERMITTED ACTIVITIES

4.1.1 List of Activities

A) The following shall be permitted activities on those **sites** that have identified frontage (Refer Appendix 4B, Page 215), provided that they comply with the standards in Rule 4.3 below:

- i) **Shops.**
- ii) Offices.
- iii) Hotels and taverns.
- iv) **Restaurants.**
- v) **Places of assembly.**
- vi) Reserves.
- vii) **Commercial services** and printing.
- viii) **Specialist services.**
- ix) **Accessory buildings.**
- x) Libraries.
- xi) **Signs** which comply with **Rules 3E.4.1 and 3E.4.2. Rule B4 4.3.2.**
- xii) **Earthworks** **which comply with Rules 3D.4.1 and 3D.4.2. ancillary to permitted activities or to approved controlled, restricted discretionary or discretionary activities.**

B) The following shall be permitted activities on those sites that do not have identified frontage, (Refer Appendix 4B), provided that they comply with the standards in Rule 4.3 below:

- i) All activities listed in A) above.
- ii) Premises for the sale of motor vehicles, boats, caravans and farm equipment.
- iii) **Service stations.**
- iv) Car parking and parking buildings.
- v) Saleyards on All DP 3797, All DP 6178, Lots 145,152,153,154, Pt Lot 146 DP 19.
- vi) **Light Industry.**
- vii) Formation of vehicle crossings onto **roads.**

4.2 CONTROLLED ACTIVITIES

4.2.1 List of Activities

A) The following shall be controlled activities:

- i) **Residential accommodation** above ground floor level, on those **sites** that have identified frontage. (Refer Appendix 4B)
- ii) **Residential accommodation** on those sites that do not have identified frontage.

4.2.2 Extent of Control

- A) The matters over which **Council** has reserved its control and in respect of which conditions may be imposed are set out in Rule A1 1.3.1 (Page 90).

4.3 STANDARDS FOR PERMITTED AND CONTROLLED ACTIVITIES

4.3.1 Performance Standards

The permitted and controlled activities specified above shall comply with the following standards:

A) **Height**

- i) Maximum **Height** - 9m.
- ii) No part of any **building** on any **site** in the zone shall exceed a height of 3m plus three quarters of the shortest horizontal distance to the nearest residentially-zoned boundary (Refer Diagram B, Page 109).

B) **Yards**

All **yards**- 4.5m from any **site** zoned Residential.

C) **Screening**

Any boundary with an adjoining site zoned Residential shall be fenced to a **height** of 1.5m with a solid screen wall or fence unless the parties agree to an alternative form of screening.

D) **Residential Accommodation**

Residential accommodation shall comply with the requirements of Rule B1 1.3 (Pages 109-116) relating to the type of accommodation proposed.

E) Noise ~~Received in the Business Zone~~

~~Compliance with Rule 3C.4.2.~~

~~All activities shall be conducted so as to ensure that noise from the site shall not exceed the following noise limits, at any point within the boundary of any other site in the Business zone:~~

At any time	65 dBA L₁₀
10.00pm to 7:00 am the following day	85 dBA L_{max}

F) ~~[Deleted PC55]~~

~~Noise Received in Residential Zones~~

All activities shall be conducted so as to ensure that noise from the **site** shall not exceed the following noise limits, at any point within the boundary of any Residential zone:

7.00am to 10:00 pm 50 dBA L₁₀
 10.00pm to 7:00 am the following day 40 dBA L₁₀ and 60 dBA L_{max}

G) Deleted PC55

Measurement

Sound levels shall be measured in accordance with New Zealand Standard NZS 6801:1991 Measurement of Sound, and assessed in accordance with NZS 6802:1991 Assessment of Environmental Sound.

H) Verandah Cover

All buildings on properties indicated on Appendix 4C (Page 216) will be required to provide a verandah along the full width of the building, and set back 0.5m from the kerb line, regardless of how far the building is set back from the road frontage. Verandahs must be of a height that relates to their neighbours, to provide continuity of cover. Verandahs shall also be provided with adequate under-verandah lighting to **Council's** standard.

I) Street Frontage

No vehicular access will be permitted on the street frontage of any **site** having identified shop frontage shown in Appendix 4B.

J) Parking

Sites outside the area shown in Appendix 3B.6 4C shall provide car parking in accordance with Rule 3B.4.5. A2 2.4 (Page 100).

K) Visibility at Railway Crossings

Compliance with Rule 3B.4.3 and Appendix 3B.5.

At all road/rail level crossings the areas shown in Appendix 2F (Page 202) shall be kept clear of buildings and of other obstructions which might block sight lines.

L) Access to Arterial Routes and Intersecting Roads.

Compliance with Rule 3B.4.3

i) Vehicle crossings constructed to the arterial routes defined in Appendix 2B (Pages 192 and 193) shall meet the following standards:

a) The minimum sight distance to and from the vehicle crossing shall comply with the criteria in Appendix 2C.

b) The location of the crossing shall comply with Appendix 2C.

ii) ~~Vehicle crossings constructed to roads which intersect with the arterial routes defined in Appendix 2B shall be sited in accordance with Appendix 2C.~~

~~NB- Constructing vehicle crossings may also require the approval of the road controlling authority.~~

M) Glare

~~Compliance with Rule 3B.4.4.~~

i) ~~Exterior lighting shall be directed away from public places and adjoining premises and shall avoid any spill of light which might distract motorists.~~

ii) ~~Metal cladding or fences shall not be left in such a condition that the reflection of sunlight would cause traffic danger.~~

N) Visual Amenities

No activity shall involve keeping more than one **derelict vehicle** within view of neighbouring properties or a public place.

4.3.2 Signs in the Business Zone

~~i. Compliance with Rules 3E.4.1 and 3E.4.2.~~

~~ii. Signs located above the footpath or carriageway, provided that no part of such signs shall be less than 2.5m above the footpath or 5.5m above the carriageway.~~

~~A) Signs Affecting Safety~~

~~i) Signs shall not detrimentally affect traffic safety or traffic control by creating a visual obstruction or by causing confusion to motorists.~~

~~ii) Signs shall not reduce or obstruct the conspicuity of official signs or traffic signals.~~

~~iii) Signs shall not be structurally unsound or unsafe.~~

~~iv) Any illuminated signs shall not be flashing, animated or trivision.~~

~~v) Signs shall not involve revolving lights, lasers or aerial signs.~~

~~B) Signs on Roads~~

~~The only signs permitted on any part of a legal road in the Business zone, are:~~

~~i) Official signs~~

~~ii) Official Information boards~~

~~iii) No more than one sign placed on the footpath per business premise. Such signs shall not exceed 0.8 square metres in area and shall only be placed adjacent to the kerbline outside the premises which they advertise.~~

~~iv) Signs located above the footpath or carriageway, provided that no part of such signs shall be less than 2.5m above the footpath or 5.5m above the carriageway.~~

~~NB- Signs on roads also need approval from the road controlling authority.~~

~~C) Signs on Private Property~~

- ~~iii) i)~~ The only **signs** permitted on **sites** adjoining SH54, are:
- a) Temporary signs permitted by Rule A2 2.2. (Page 97).
 - b) Traffic signs, or signs showing the number of the premises or the location, timetable or other details of any **utility** or public facility.
 - c) One pole sign not exceeding 3m² for any permitted use of the premises.
 - d) Signs written on or affixed to a building
- ~~ii) — On sites which do not adjoin SH54, any sign which complies with A) above shall be a permitted activity.~~

4.4 RESTRICTED DISCRETIONARY ACTIVITIES

4.4.1 List of Activities

- A) The following shall be restricted discretionary activities in the Business zone:
- i) Any permitted activity or controlled activity specified above which does not comply with any of the relevant standards in Rules B4 4.3.1 or 4.3.2.
 - ii) Any new construction on any **site** the frontage of which is identified in Appendix 4A (Page 214).
 - iii) Structural alterations or additions, or the reconstruction of the frontage of any building on any **site** the frontage of which is identified in Appendix 4A.

4.4.2 Criteria for Assessment

- A) Applications for restricted discretionary activities shall be assessed against the matters set out in Rule A1 1.3.3. (Page 93).

4.5 DISCRETIONARY ACTIVITIES

4.5.1 List of Activities

- A) The following shall be discretionary activities in the Business zone on **sites** that do not have identified frontage (Refer Appendix 4B, Page 215):
- i) Any **industry** other than **high-impact industries**.

4.5.2 Criteria for Assessment

- A) The matters set out in Rule A1 1.3.4 (Page 94) will be taken into account in considering applications for the above discretionary activities.

RULE B5 – INDUSTRIAL ZONE

(Refer Part 4.7, Page 30)

NB – Words outlined in bold type below have a specific definition contained in Rule E (Pages 165-173). Some of the activities listed below may also require consent from the **Regional Council**.

5.1 PERMITTED ACTIVITIES

5.1.1 List of Activities

- A) The following shall be permitted activities in the Industrial zone, provided that they comply with the standards in Rule 5.3 below:
- i) Any **industry** other than **high-impact industries**.
 - ii) **Shops** accessory to an industry, including **hardware shops**.
 - iii) Takeaway/Lunch bars.
 - iv) **Commercial services**.
 - v) **Specialist services**.
 - vi) Offices accessory to an industry.
 - vii) The sale of boats, caravans, motor vehicles and farm equipment.
 - viii) **Service stations**.
 - ix) **Places of assembly**.
 - x) Reserves.
 - xi) **Buildings** ancillary to permitted and controlled activities.
 - xii) Car parks.
 - xiii) **Signs** which comply with Rule **3E.4.1**. ~~B5-5.3.2~~
 - xiv) Hotels and taverns.
 - xv) Formation of vehicle crossings onto **roads**. NB: Consent from the road controlling authority is required for vehicle crossings onto Limited Access Roads.
 - xvi) **Earthworks** ~~which comply with Rules 3D.4.1 and 3D.4.2. ancillary to permitted activities or to approved controlled, restricted discretionary or discretionary activities.~~
 - xvii) Shops within the block bounded by Aorangi, Eyre, Manchester and Gladstone Streets provided that the gross floor area of any shop shall not be less than 2000m².

5.2 CONTROLLED ACTIVITIES

5.2.1 List of Activities

- A) The following shall be controlled activities in the Industrial zone, provided that they comply with the standards in Rule 5.3 below:
- i) Relocated buildings.
 - ii) Caretakers accommodation.

5.2.2 Extent of Control

The matters over which **Council** has reserved its control and in respect of which conditions may be imposed are set out in Rule A1 1.3.1. (Page 90).

5.3 STANDARDS FOR PERMITTED AND CONTROLLED ACTIVITIES

5.3.1 Performance Standards

A) Height

No part of any **building** on any **site** in the zone shall exceed a **height** of 3m plus three quarters of the shortest horizontal distance between that part of the building and the nearest boundary of any site zoned Residential or Village. (Refer: Diagram B, Page 109).

B) Yards

All **yards** - 4.5m from any site zoned Residential or Village.

C) Landscaping

- i) On **sites** which adjoin an **arterial route** (Refer Appendix **3B.1 2B, Pages 192-193**) or which lie directly across a road from a Residential Zone or Village Zone, a 2m **front yard** shall be provided, which shall be planted and maintained with landscaping.
- ii) The landscaping along such a **yard** shall not be obscured by any fencing.
- iii) No such yard may be used for the parking, loading or manoeuvring of vehicles, but the site may have two two-way vehicle crossings each not more than 6.5 metres wide or may use 25% of its frontage for vehicle crossings, whichever is the greater.
- iv) Within the block bounded by Aorangi, Eyre, Manchester and Gladstone Streets, site frontages of activities not occupied by site access shall be landscaped and maintained to a depth of 2m.

D) Noise

Compliance with Rule 3C.4.2.

All activities shall be so conducted as to ensure that noise from the **site** shall not exceed the following noise limits, at any point within the boundary of any **site** zoned Residential or Village; nor within the notional boundary of any rural dwelling:

7.00am to 10:00 pm	55dBA L ₁₀
10.00pm to 7:00 am the following day	45dBA L ₁₀ and 65dBA L _{max}

Sound levels shall be measured in accordance with NZ Standard 6801:1991 Measurement of Sound, and assessed in accordance with NZS 6802:1991 Assessment of Environmental Sound. Note: the notional boundary is defined as a line 20 metres from the facade of any rural dwelling, or the legal boundary where this is closer to the dwelling.

E) Screening

Any boundary with an adjoining site zoned Residential or Village shall be fenced to a **height** of 1.5m with a solid screen wall or fence unless the parties agree to an alternative form of screening.

F) Glare

Compliance with Rule 3B.4.4.

- ~~i) Exterior lighting shall be directed away from public places and adjoining premises, and shall avoid any spill of light which might distract motorists.~~
- ~~ii) Metal cladding or fences shall not be left in such a condition that the reflection of sunlight would cause traffic danger.~~

G) Vibration

All activities shall be managed so that no vibration is discernible beyond the boundaries of the **site**.

H) Electrical Interference

All activities shall be managed so that no interference with television or radio reception is caused within the Residential zone or Village zone or in any dwelling in the Rural zone.

I) Parking

Compliance with Rule 3B.4.5.Refer Rule A2-2.4 (Page 100).

J) Visibility at Railway Crossings

Compliance with Rule 3B.4.3 and Appendix 3B.5.

~~At all road/rail level crossings the areas shown in Appendix 2F (Page 202) shall be kept clear of buildings and of other obstructions which might block sight lines.~~

K) Access ~~to Arterial Routes and Intersecting Roads.~~Compliance with Rule 3B.4.3.

- ~~i) Vehicle crossings constructed to the arterial routes defined in Appendix 2B (Pages 192 and 193) shall meet the following standards:~~
 - ~~a) The minimum sight distance to and from the vehicle crossing shall comply with the criteria in Appendix 2C.~~
 - ~~b) The location of the crossing shall comply with Appendix 2C.~~

~~ii) Vehicle crossings constructed to roads which intersect with the arterial routes defined in Appendix 2B shall be sited in accordance with Appendix 2C.~~

~~iii) Vehicle access to sites from SH54/Aorangi Street, between Gladstone St and Eyre Street, shall be left turn in, left turn out only~~

~~NB Constructing vehicle crossings may also require the approval of the road controlling authority.~~

L) Separation Distance

Any activities involving the slaughtering of animals shall be on **sites** which are at least 100 metres from any Residential, Village or Business zone.

M) Visual **Amenities**

No activity shall involve keeping more than one **derelict vehicle** within view of neighbouring properties or a public place.

5.3.2 Signs in the Industrial zone

A) Signs

Compliance with Rules 3E.4.1 and 3E.4.2.

~~A) **Signs Affecting Safety**~~

~~i) **Signs** shall not detrimentally affect traffic safety or traffic control by creating a visual obstruction or by causing confusion to motorists.~~

~~ii) Signs shall not reduce or obstruct the conspicuity of **official signs** or traffic signals.~~

~~iii) Signs shall not be structurally unsound or unsafe.~~

~~iv) Any illuminated signs shall not be flashing, animated or trivision.~~

~~v) Signs shall not involve revolving lights, lasers or aerial signs.~~

B) [Deleted PC55]

Signs on Roads

On legal roads in the Industrial Zone, the only **signs** permitted are:

~~i) **Official signs.**~~

~~ii) Not more than one “welcome to” sign erected at each entrance to a township.~~

~~iii) Official information boards.~~

~~iv) No more than one sign placed on the footpath per business premise. Such signs shall not exceed 0.8 square metres in area and shall only be placed outside the premises which they advertise.~~

v) Signs located above the footpath or carriageway, provided that no part of such signs shall be less than 2.5m above the footpath or 5.5m above the carriageway.

NB Signs on roads also need approval from the road controlling authority.

C) Signs on Private Property

On sites adjoining SH54, only the following signs will be permitted:

- i) Temporary signs permitted by Rule A2 2.2. (Page 97).
- ii) Traffic signs, or signs showing the name of the road, number of the premises or the location, timetable or other details of any utility or public facility.
- iii) One free-standing sign not exceeding 3m² for any permitted use of the premises.
- iv) Any signs written on or affixed to a building.

On sites which do not adjoin SH 54, any sign which complies with A) above shall be permitted.

5.4 RESTRICTED DISCRETIONARY ACTIVITIES

Any permitted activity or controlled activity specified above which does not comply with any of the relevant standards in Rules B5 5.3.1 or 5.3.2 shall be a restricted discretionary activity. Applications for restricted discretionary activities shall be assessed in terms of the criteria in Rule A1 1.3.3 (Page 93).

5.5 DISCRETIONARY ACTIVITIES

5.5.1 List of Activities

- A) The following shall be discretionary activities in the Industrial zone:
 - i) **High-impact industries** on sites which are at least 100m from any Residential, Village or Business zone.

5.5.2 Criteria for Assessment

The matters set out in Rule A1 1.3.4 (Page 94) will be taken into account in assessing applications for discretionary activities.

RULE B6 – RECREATION ZONE

(Refer Part 4.8, Page 31)

NB – Words outlined in bold type below have a specific definition contained in Rule E (Pages 165-173). Some of the activities listed below may also require consent from the **Regional Council**.

6.1 PERMITTED ACTIVITIES

6.1.1 List of Activities

- A) The following shall be permitted activities in the Recreation zone, provided that they comply with the standards in Rule 6.2 below:
- i) Implement sheds and tool sheds less than 150m² **gross floor area**.
 - ii) Toilets and changing rooms (not including social facilities) less than 150m² gross floor area.
 - iii) Playing fields, gardens, lawns, children's play areas, walkways and cycleways.
 - iv) Car parking areas.
 - v) Grazing.
 - vi) **Signs** which comply with **Rules 3E.4.1 and 3E.4.2 Rule 6.2.2 below**.
 - vii) Formation of vehicle crossings onto **roads**. NB: Consent from the road controlling authority is required for vehicle crossings onto Limited Access Roads.
 - viii) **Earthworks** which comply with **Rules 3D.4.1 and 3D.4.2 ancillary to permitted activities or to approved controlled, restricted discretionary or discretionary activities**.
 - ix) Overnight parking by self-contained motor caravans/ campervans.

6.2 STANDARDS FOR PERMITTED ACTIVITIES

6.2.1 Performance Standards

A) **Yards**

All **yards** - 4.5m from any **site** zoned Residential or Village.

B) **Height**

- i) Maximum 9m.
- ii) No part of any **building** on any site in the zone shall exceed a **height** of 3m plus three quarters of the shortest horizontal distance from that part of the building to the nearest boundary of any property zoned Residential or Village. (Refer Diagram B, Page 109).

C) Noise

Compliance with Rule 3C.4.2.

~~i) All activities shall be conducted so as to ensure that noise from the site shall not exceed the following noise limits, at any point within the boundary of any Residential zone or Village zone:~~

~~7.00am to 10:00pm 45dBA L₁₀~~

~~10.00pm to 7:00am the following day 35dBA L₁₀ and 55dBA L_{max}~~

~~ii) The foregoing limits shall not apply to recreational activities that do not involve motorsport, gunfire or amplified music.~~

~~iii) Sound levels shall be measured in accordance with New Zealand Standard NZS 6801:1991 Measurement of Sound and assessed in accordance with NZS 6802:1991 Assessment of Environmental Sound.~~

D) Car Parking

Compliance with Rule 3B.4.5.

~~i) Parking areas shall not be located within 3m of the front boundary of the site, or within 4.5m of any property zoned Residential or Village.~~

~~ii) Where a car park is located within 25m of a property zoned Residential or Village, the car park shall be screened from that property by a solid screen wall or fence at least 1.5m high.~~

E) Visibility at Railway Crossings

Compliance with Rule 3B.4.3 and Appendix 3B.5.

~~At all road/rail level crossings the areas shown in Appendix 2F (Page 202) shall be kept clear of buildings and of other obstructions which might block sight lines.~~

F) Access ~~to Arterial Routes and Intersecting Roads.~~Compliance with Rule 3B.4.3.

~~i) Vehicle crossings constructed to the arterial routes defined in Appendix 2B (Pages 192 and 193) shall meet the following standards:~~

~~a) The minimum sight distance to and from the vehicle crossing shall comply with the criteria in Appendix 2C.~~

~~b) The location of the crossing shall comply with Appendix 2C.~~

~~ii) Vehicle crossings constructed to roads which intersect with the arterial routes defined in Appendix 2B shall be sited in accordance with Appendix 2C.~~

~~NB Constructing vehicle crossings may also require the approval of the road controlling authority.~~

G) Glare

Compliance with Rule 3B.4.4.

- ~~i) Exterior lighting shall be directed away from public places and adjoining premises and shall avoid any spill of light which might distract motorists.~~
- ~~ii) Floodlighting of sports areas shall not operate between 10.00pm and 7.00am.~~
- ~~iii) Metal cladding or fences shall not be left in such a condition that the reflection of sunlight would cause traffic danger.~~

H) Visual Amenities

No activity shall involve keeping more than one **derelict vehicle** within view of neighbouring properties or a public place.

6.2.2 Signs in the Recreation Zone

A) Signs

Compliance with Rules 3E.4.1 and 3E.4.2.A) **Signs Affecting Safety**

- ~~i) **Signs** shall not detrimentally affect traffic safety or traffic control by creating a visual obstruction or by causing confusion to motorists.~~
- ~~ii) Signs shall not reduce or obstruct the conspicuity of **official signs** or traffic signals.~~
- ~~iii) Signs shall not be structurally unsound or unsafe.~~
- ~~iv) Any illuminated signs shall not be flashing, animated or trivision.~~
- ~~v) Signs shall not involve revolving lights, lasers or aerial signs.~~

B) **Signs on Roads**

~~On legal roads in the Recreation zone, the only **signs** permitted are:~~

- ~~i) **Official signs**~~
- ~~ii) Not more than one “welcome to” sign erected at each entrance to a township.~~
- ~~iii) Official information boards.~~

~~NB- Signs on roads also need approval from the road controlling authority~~

~~C) Any sign which does not comply with A) and B) above shall be a non-complying activity.~~

6.3 RESTRICTED DISCRETIONARY ACTIVITIES

Any permitted activity specified above which does not comply with any of the relevant standards in Rule B6 6.2.1 shall be a restricted discretionary activity. Applications for a restricted discretionary activity shall be assessed in terms of the matters set out in Rule A1 1.3.3. (Page 93).

6.4 DISCRETIONARY ACTIVITIES

6.4.1 List of Activities

- A) The following shall be discretionary activities in the Recreation zone:
 - i) Any land or building used for recreational or associated activities not listed as a permitted activity.

6.4.2 Criteria for Assessment

- A) The matters set out in Rule A1 1.3.4 (Page 94) will be taken into account in assessing discretionary activities.

RULE B7 – FLOOD CHANNEL ZONES

(Refer Part 8 Page 70)

NB – Words outlined in bold type below have a specific definition contained in Rule E (Pages 165-173). Some of the activities listed below, particularly those marked “^{MWRC}”, may also require consent from the Regional Council.

7.1 PERMITTED ACTIVITIES

7.1.1 List of Activities

- A) The following shall be permitted activities in the Flood Channel 1 zone and Flood Channel 2 zone, provided that they comply with the standards in Rule 7.3 below:
- i) Reserves.
 - ii) **Farming**.
 - iii) Mineral exploration, prospecting or extraction activities, provided that the amount of material extracted does not exceed 1,000 cubic metres per calendar year.
 - iv) Extraction of more than 1000 cubic metres of sand and/or gravel per year from a river beach, provided the site of the extraction is further than 500 metres from the nearest dwelling. ^{MWRC}
 - v) **Pig Farming**, provided that the activity does not involve:
 - a) More than two breeding sows, of which no more than 10 of the progeny can be retained beyond the weaner stage of eight weeks of age, or
 - b) More than 12 growing pigs only, up to the bacon weight stage.
 - vi) **Signs** which comply with **Rules 3E.4.1 and 3E.4.2. Rule B3 3.3.2 (Page 130).**
 - vii) Formation of vehicle crossings onto **roads**. NB: Consent from the road controlling authority is required for vehicle crossings onto Limited Access Roads.
 - viii) **Earthworks** **which comply with Rule 3D.4.2. ancillary to permitted activities or to approved controlled, restricted discretionary or discretionary activities.** ^{MWRC}
 - ix) Planting, tending or removing shelter belts. ^{MWRC}
 - x) Within the Flood Channel 2 zone only, planting, tending and harvesting forests, woodlots, or specialised tree crops. ^{MWRC}
 - xii) Clearance, modification or harvesting of indigenous vegetation if it qualifies as a permitted activity under Appendix 1J (Page 190) ^{MWRC}
NB: This rule shall not apply to the heritage places listed in Appendices 1A or 1B of the Plan. Rules on the modification of these places are instead contained in Rule A2 2.3 (Page 98).

7.2 CONTROLLED ACTIVITIES

7.2.1 List of Activities

- A) The following shall be controlled activities in the Flood Channel 1 zone and Flood Channel 2 zone, provided that they comply with the standards in Rule 7.3 below:
- i) **Accessory buildings.** ^{MWRC}
 - ii) **Farm buildings.** ^{MWRC}
 - iii) Other **buildings** ancillary to the primary permitted use of the **site.** ^{MWRC}
 - iv) **Milking sheds**
 - v) **Pens housing animals**

7.2.2 Extent of Control

- A) The matters over which **Council** has reserved control and in respect of which conditions may be imposed are set out in Rule A1 1.3.1 (Page 90).

7.3 STANDARDS FOR PERMITTED AND CONTROLLED ACTIVITIES

7.3.1 Performance Standards

The permitted and controlled activities specified above shall comply with the following standards:

A) **Height**

- i) Maximum **Height** - 10m
- ii) No part of any **building** shall exceed a height equal to 3.0 metres plus three quarters of the shortest horizontal distance between that part of the building and the nearest **site** boundary. (Refer Diagram B, Page 109)
- iii) No part of any building, structure, **mast**, tree or other object shall penetrate any of the climb surfaces, transitional surfaces, horizontal surfaces or conical surfaces associated with Milson Airport or Feilding Aerodrome. These surfaces are shown in Appendix 3B (Page 211) and Appendix 3C (Page 212). Where two or more surfaces intersect, the lower shall apply.

B) **Floor Area**

Maximum **gross floor area** - 55m².

C) **Yards**

- i) **Accessory buildings** - **Front yards** 10m
- Other **yards** 1.5m
- ii) Milking sheds and pens housing animals (either permanently or temporarily), including **pig farming**:
 - a) From any Residential zone or Village zone - 100m
 - b) Front yards - 10m
 - c) Other Yards - 30m.

- iii) All other **buildings** (including **Farm buildings**)
 - Front yards 10m.
 - Other yards 5m.
- iv) **Buildings** shall be kept at least 10m clear of the top edge of any public drain or watercourse

D) Visibility at Railway Crossings

Compliance with Rule 3B.4.3 and Appendix 3B.5.

At all road/rail level crossings the areas shown in Appendix 2F (Page 202) shall be kept clear of buildings and of other obstructions which might block sight lines.

E) Access to Arterial Routes and Intersecting Roads

Compliance with 3B.4.3.

- i) ~~Vehicle crossings constructed to the arterial routes defined in Appendix 2B (Pages 192 and 193) shall meet the following standards.~~
 - a) ~~Vehicle crossings shall only be constructed if there is no alternative legal access to another road.~~
 - b) ~~The minimum sight distance to and from vehicle crossings on arterial routes shall comply with the criteria in Appendix 2C.~~
 - e) ~~The location of the crossing shall comply with Appendix 2C.~~
 - d) ~~Use of the crossing shall not exceed 100 car equivalent vehicle movements per day.~~
 - e) ~~If use of the vehicle crossing exceeds 30 car equivalent vehicle movements per day, the vehicle crossing shall be formed to the standards shown in Appendix 2E (Pages 200 and 201).~~
 - f) ~~Car equivalent vehicle movements shall be calculated using Appendix 2C.~~
- ii) ~~Vehicle crossings constructed to roads which intersect with the arterial routes defined in Appendix 2B shall be sited in accordance with Appendix 2C.~~

~~NB Constructing vehicle crossings may also require the approval of the road controlling authority.~~

F) Farm Loading Ramps

- i) Farm loading ramps shall be designed so that vehicles using the ramp do not have to reverse onto or off an **arterial route**, or park on any part of the carriageway of any arterial route while loading or unloading.
- ii) The minimum sight distance from any farm loading ramp which is designed so that vehicles using it have to park on any part of a non-**arterial route**, shall be 110m. If this sight distance is not available, the landowner shall provide advance warning to approaching traffic that the loading or unloading is taking place.

G) Noise Received in Residential Zones or Village Zones

Compliance with Rule 3C.4.1.

All activities shall be so conducted as to ensure that noise from **sites** in the Flood Channel zones shall not exceed the following noise limits, at any point within the boundary of any site zoned Residential or Village:

7.00am to 10.00pm	55 dBA L ₁₀
10.00pm to 7.00am the following day	45 dBA L ₁₀ and 65 dBA L _{max}

H) Deleted PC55

Noise Received at Rural Dwellings

All activities shall be conducted so as to ensure that noise from the site shall not exceed the following noise limits, at any point within the notional boundary of any rural dwelling not on the subject site:

6.00am to 10.00pm	55 dBA L ₁₀
10.00pm to 6.00am the following day	45 dBA L ₁₀ and 65 dBA L _{max}

Note: the notional boundary is defined in NZS 6802: 1991 Assessment of Environmental Sound as a line 20 metres from the facade of any rural dwelling, or the legal boundary where this is closer to the dwelling.

I) Deleted PC55

Exemptions and Measurement of Noise

i) The foregoing noise limits shall not apply to activities of a limited duration required by normal agricultural practice, such as harvesting. Such activities shall be no louder than necessary, and shall comply with the requirements of Section 16 of the Act.

ii) Sound levels shall be measured in accordance with New Zealand Standard NZS 6801: 1991 Measurement of Sound and assessed in accordance with NZS 6802: 1991 Assessment of Environmental Sound.

NB The foregoing noise limits shall not apply to aircraft noise associated with operational activities at airports, including taxiing and runups.

J) Shelter Belts and Tree Planting

- i) Without the written consent of the adjoining landowner concerned, no shelter belt, woodlot or tree plantation shall be permitted to grow to over 4 metres in **height**:
 - a) Within 5m of any **northerly boundary** of the **site**, or within 10m of any other boundary of the site except a road boundary, or
 - b) Within 30m of any rural dwelling on another property, or
 - c) Within 30m of any property zoned Residential or Village.
- ii) Without the consent of the roading authority, no vegetation which might obstruct vehicle sight lines shall be permitted to grow within 30 metres of the centre of any intersection.
- iii) No plantation forest shall be permitted to grow within 50 metres of the edge of any **wetland** listed in Appendix 1A, if that wetland is in the coastal area shown on the Planning Maps.

K) Fencing of Properties

- i) Where any activity involves keeping male entire adult cattle or male entire horses in a paddock or enclosure which adjoins another property, those boundaries shall have a live electric wire in addition to, or attached to, the boundary fence, eg on outriggers. For the purposes of this rule “adult cattle” are defined as those which are at least one year old.
- ii) This rule shall not apply to road boundaries or to situations where the adjoining landowner concerned has given their written consent to a different standard of fence (or to no fence) being provided.

L) Roothing Impacts

- i) Suitable areas shall be provided on the **site** for stockpiling, logging and loading operations associated with forest harvesting. No such operations shall be undertaken on the road reserve without the consent of the roading authority. No stockpiling areas shall be located within the Flood Channel zones.
- ii) No activity shall result in the generation of heavy traffic movements which involve:
 - a) The weight of the loads concerned exceeding any weight restrictions on the bridges or culverts which are to be used.
 - b) The length of the loads concerned requiring the vehicle to utilise the road shoulder, water table or road verge when negotiating bends.
 - c) The timing of the vehicle movements in relation to prevailing ground conditions resulting in damage to the structural integrity of the road carriageway, or
 - d) The frequency of loads and spacing between them resulting in damage to the structural integrity of the road carriageway.

NB -The onus will be on the landowner and operator of the activity to consult with the roading authority at an early stage to determine whether their proposals are compatible with the roading network in terms of the above. **Council** is not obliged to upgrade any road and may seek contributions from the landowner in such cases (Refer Part 7.4, Page 68).

M) Glare

Compliance with Rule 3B.4.4.

- ~~i) Exterior lighting shall be directed away from public places and adjoining premises and shall avoid any spill of light which might distract motorists.~~
- ~~ii) Metal cladding or fences shall not be left in such a condition that the reflection of sunlight would cause traffic danger.~~

7.4 RESTRICTED DISCRETIONARY ACTIVITIES

7.4.1 List of Activities

- A) The following shall be restricted discretionary activities in the Flood Channel zones:
- i) Any permitted activity or controlled activity specified above which does not comply with any of the relevant standards in Rule B7 7.3.
 - ii) Clearance, modification or harvesting of indigenous vegetation if it qualifies as a restricted discretionary activity under Appendix 1J (Page 190) ^{MWRC}
- NB: This rule shall not apply to the heritage places listed in Appendices 1A or 1B of the Plan. Rules on the modification of these places are instead contained in Rule A2 2.3 (Page 98).

7.4.2 Criteria for Assessment

- A) Applications for restricted discretionary activities shall be assessed against the matters set out in Rule A1 1.3.3. (Page 93).

7.5 DISCRETIONARY ACTIVITIES

7.5.1 List of Activities

- A) The following shall be discretionary activities:
- i) Mineral exploration, prospecting or extraction activities. ^{MWRC}
 - ii) Crushing, screening or processing sand or gravel. ^{MWRC}
 - iii) **Dwelling units** in the Flood Channel 2 zone only, except if sited in the Air Noise Area (Refer Appendix 3A, Page 203). ^{MWRC}
 - iv) **Signs** on private property which provide advance warning to motorists of retail sales outlets, **restaurants** or **tourist facilities** in the Rural zone, provided that:
 - a) The signs are located no further than 1km from the business concerned if both are located on the same road.
 - b) The signs are located no further than 5km from the business concerned if the business is down a side road.
 - v) Coastal protection /river control structures located within 50m of Mean High Water Springs. ^{MWRC}
 - vi) ~~[Deleted PC55]. Relocating previously used buildings from another site, except in the case of dwellings to be sited within the Air Noise Area (refer Appendix 3A, Page 203).~~

7.5.2 Criteria for Assessment

- A) The criteria by which applications will be assessed are set out in Rule A1 1.3.4 (Page 94).

7.6 PROHIBITED ACTIVITIES

7.6.1 List of Activities

- A) The following shall be prohibited activities in the Flood Channel 2 zone, if sited in the Air Noise Area (Refer Appendix 3A, Page 203):
- i) Veterinary Clinics and Veterinary Hospitals.
 - ii) **Dwelling units and residential accommodation**, including relocated dwellings.
 - iii) **Family Flats.**
 - iv) Craft Workshops and Studios,
 - v) **Home Occupations**
 - vi) Retail sales from craft and workshop studios, from home occupations, and of farm produce.
 - vii) **Education Facilities and Day Care centres.**
 - viii) Cemeteries and crematoria.
 - ix) Parks, reserves, open space and scenic reserves.
 - x) Hospitals and **homes for the aged.**
 - xi) Hotels and taverns.
 - xii) Lodges, hunting, tour party and recreational bases.
 - xiii) **Marae.**
 - xiv) **Places of assembly** and libraries.
 - xv) **Restaurants**, reception rooms and **tourist facilities.**
 - xvi) **Travellers' accommodation.**
 - xvii) **Communal activities.**
 - xviii) Motor Caravan Rallies
 - xix) **Motor Caravan Sites**

These activities have been expressly prohibited and no resource consent shall be granted.

RULE B8 – MANFEILD PARK ZONE

(Refer Part 4.15 Page 43)

NB – Words outlined in bold type below have a specific definition contained in Rule E (Pages 165-173).

Some of the activities listed below, particularly those marked “MWRC”, may also require consent from the **Regional Council**.

8.1 PERMITTED ACTIVITIES

8.1.1 List of Activities

- A) The following activities shall be permitted within the Manfeild Park Zone, provided that they comply with the standards in Rule B8.3 below:
- i) Buildings, structures and land used for the following activities: recreation, sporting and **community events**, entertainment, hospitality; agricultural, horticultural and pastoral activities; shows, conventions, conferences, exhibitions, trade fairs, demonstrations; auctions; and **military exercises**.
 - ii) Buildings and activities associated with the operation and maintenance of Manfeild Park, including administration offices.
 - iii) Catering activities associated with permitted activities.
 - iv) **Accessory buildings**, structures or **ancillary activities** to permitted activities.
 - v) **Motor sport activities**, including driver training.
 - vi) **Signs**.
 - vii) Earthworks **which comply with Rules 3D.4.1 and 3D.4.2. ancillary to permitted activities or to approved controlled, restricted discretionary or discretionary activities.**
 - viii) Car parks.
 - ix) Tertiary education activities that are complementary to the facilities at Manfeild Park.
 - x) Within the Office Overlay (refer Appendix 8A), offices which are complementary to or associated with, activities at Manfeild Park.

8.2 CONTROLLED ACTIVITIES

8.2.1 List of Activities

- A) The following shall be controlled activities in the Manfeild Park Zone, provided that they comply with the standards in Rule B8.3 below:
- i) Relocating previously used buildings from another **site**.

8.2.2 Criteria for Assessment

- A) The matters over which **Council** has reserved control and in respect of which conditions may be imposed are set out in Rule A1 1.3.1 (Page 90).

8.3 STANDARDS FOR PERMITTED AND CONTROLLED ACTIVITIES

8.3.1 Performance Standards

The permitted and controlled activities specified above shall comply with the following standards:

A) Height

- i) Maximum building **height** of 9m, except within the Building Overlay (refer Appendix 8A) where the maximum building height of 12m applies.
- ii) The maximum height of 15m for lighting pole structures.

B) Building Coverage

For all building construction, alteration and development:

- i) The building footprint must not exceed 1,200m², except within the Building Overlay (refer to Appendix 8A) where the building footprint must not exceed 1,500m².
- ii) The minimum separation distance between buildings is 6m.
- iii) Within the agricultural and equestrian park a minimum of 80,000m² area with sides with a minimum dimension of 200m, must be retained as open space and no buildings or permanent car parking can be constructed in this area.

C) View Shafts

- i) A view shaft of at least 20m in width that extends into the no-build area within Manfeild Park must be provided, free of buildings, vegetation and outdoor storage facilities in those locations shown in Appendix 8A.

D) Yards and Separation Distances

For all building construction, alteration and development:

- i) A building setback from Kowhai Park in accordance with Appendix 8A.
- ii) A minimum separation distance between buildings of 6m, except within the Building Overlay (refer to Appendix 8A) where no separation distance applies.
- iii) A building setback of 6m from Kawakawa Road.

E) Landscape and Screen Planting

The following shall apply for any building construction, alteration and development occurring within the Manfeild Park Zone:

- i) Along any new roads constructed after 2010 plant a tree every 26m within a 4m x 4m planting box that is capable of growing more than 4m in height

- and with a trunk that can be limbed up to 2m, in accordance with Diagram 1 in Appendix 8B.
- ii) For formed car parking areas with more than 60 car parks, all parks must be bound by a 1.5m wide landscape strip that must be planted and maintained with landscaping. This landscaping shall comprise low shrubs and groundcover below 0.75m in height. Every 26m along the landscape strip a tree shall be planted that is capable of growing more than 4m in height and with a trunk that can be limbed up to 2m, in accordance with Diagram 2 in Appendix 8B.
 - iii) Within a formed car parking area, every 10 car park spaces must be separated by a 2m x 2m landscaping box with planting that is maintained, in accordance with Diagram 2 in Appendix 8B.
NB – the preferred planting species for this zone are found in Appendix 8B.

F) Outdoor Storage

- i) Any outdoor storage area must be screened from view by either a fence, or a wall of not less than 2m in height or dense planting of vegetation capable of growing to 2m in height. Any planting must be maintained.

G) Noise

Noise Received in Rural Zones and Residential Zones

- i) All activities shall be conducted to ensure that noise shall not exceed the following limits, at any point within the notional boundary of any rural dwelling or at any point within the boundary of any site zoned Residential:

8.00am to 10.00pm	55 dBA L ₁₀
10.00pm to 8.00am the following day	45 dBA L ₁₀ and 65 dBA L _{max}

Noise Received in the Special Development Zone

- ii) All activities shall be so conducted as to ensure that noise shall not exceed the following limits at any point within the Special Development Zone other than a site owned or occupied by the Manfeild Park Trust:

8.00am to 10.00pm	65 dBA L ₁₀
10.00pm to 8.00am the following day	45 dBA L ₁₀ and 65 dBA L _{max}

Motor Sport Activities

- iii) Motorsport activities taking place at the Motorsport Park and circuit (that are controlled by reference to separate resource consent conditions), firework displays, crowd noise and the noise of soil preparation and grass mowing are exempt from the noise limits in rule i and ii above.

Construction Noise

- iv) Construction noise will be managed and controlled using NZS6803:1999 Acoustics Construction Noise.

Special Events

- v) For the purpose of rule vi below, a special event is defined as an event that is not a motorsport activity taking place at the Motorsport Park and circuit (that is controlled by reference to separate resource consent conditions) but which otherwise meets the permitted activity status for the zone except that it exceeds the noise limits in rules i and ii above.
- vi) The noise limits in rule i and ii above shall not apply to special events taking place in the Manfeild Park Zone provided that the following restrictions are met:
 - a. Special events do not occur on more than 6 days in any 12 month period. For the purposes of this condition, if an event occurs on more than one day then each day is counted.
 - b. Special events may take place between 8am and 11pm provided the event does not exceed 60 dBA LA_{eq}(15min), and between 8am and 10pm provided the event does not exceed 70 dBA LA_{eq}(15min). Social events shall not occur outside these hours.
 - c. Special events shall not take place between 10.00pm and 8.00am the following day, except that special events on the night of New Year's Eve/New Year's Day must not exceed 70 dBA LA_{eq}(15min) and must not take place between 1am to 7am on New Year's Day.
 - d. Event set-up and pack-up activities may occur within the night time hours provided they comply with the noise limits in rule i above.
 - e. Special events shall not exceed the a noise limits of 70dBA LA_{eq}(15min) at any point within the notional boundary of any rural dwelling or at any point within the boundary of any site zoned Residential. The measured level(s) shall be compared directly with the applicable noise limits without any adjustments for special audible characteristics.
 - f. A notice shall be placed in local newspapers between 7 and 14 days before the event advising that the special event is to take place, the times and nature of the event and that higher noise levels are expected.
 - g. A noise management plan must be prepared by a suitably qualified and experienced person. The noise management plan must demonstrate how noise is to be managed, controlled and monitored if appropriate, and demonstrate that the noise limits will be complied with. This noise management plan shall be submitted to Council prior to the event.
 - h. A record shall be kept of the above information and provided to Council upon request.

Measurement of Noise

- vii) Sound levels shall be measured in accordance with New Zealand Standard NZS6801:1991 Measurement of Sound and assessed in accordance with NZS6802:1991 Assessment of Environmental Sound.

Note: the notional boundary is defined in NZS6801:1991 Measurement of Sound as a line 20 metres from the façade of any rural dwelling or the legal boundary where this is closer to the dwelling.

H) Effluent Disposal

- i) Adequate provision must be made for disposal of any solid or liquid effluent, and for the hygienic storage of waste matter. ^{MWRC}

I) Signs

Compliance with Rule 3E.4.2, except as provided for in Rule 8.3.1(I)(i) to (iii), below.

Signs affecting safety

- i) ~~Signs shall not detrimentally affect traffic safety or traffic control by creating a visual obstruction or by causing confusion to motorists.~~
- ii) ~~Signs shall not reduce or obstruct the conspicuity of official signs.~~
- iii) ~~Signs shall not be structurally unsound or unsafe.~~
- iv) ~~Any illuminated signs shall not be flashing, animated or trivision.~~
- v) ~~Signs shall not involve revolving lights, lasers, or aerial signs.~~

Signs on roads

- i) ~~On legal roads in the Manfeild Park Zone, the only signs permitted are:~~
 - a. ~~Official signs.~~
 - b. ~~Official information boards.~~

~~Note: Signs on roads also need approval from the road controlling authority.~~

Signs in the Manfeild Park Zone

- i) One free-standing sign not exceeding 3m² for the general advertising of events/activities at Manfeild Park may be erected and maintained onsite at the South Street, Rata Street and Kawakawa Road entry points.
- ii) In addition to the general advertising sign allowed by rule i) above, one permanent advertising sign of 3m² in size onsite adjacent to Kawakawa Road and South Street indicating current or forthcoming events.
- iii) Traffic signs, or signs showing the name of the road, number of the premises or the location, timetable or other details of any utility or public facility.

J) Glare

- i) No artificial lighting shall be installed in a manner that results in adverse effects to road users or adjacent residential properties.
- ii) No artificial lighting associated with activities at Manfeild Park must spill beyond the site boundary after 10.30pm.

K) Car Parking

- i) Any building construction, alteration or development must provide car parking in accordance with Rule 3B.4.5 section A2 2.4 of the District Plan.
- ii) An Overall Traffic Management Plan must in place and implemented for all events within Manfeild Park. The Plan must be submitted to Council for approval prior to the event and include:
 - a. All access points including their hierarchy and use (main access, overspill parking areas and access, and participants' access).
 - b. Permanent internal signage, identifying permanent and overspill parking areas and exit points.
 - c. A plan detailing all parking associated with the Park activities. Permanent car parking should be clearly marked and overspill or temporary parking areas should be

identified. If overspill parking locations change per event, the different areas used should be identified and related to those specific events.

- d. How traffic will be managed when there are simultaneous events at Manfeild Park.
- iii) An event-specific Traffic Management Plan shall be in place and implemented for all events where over 5,000 people are anticipated, including where more than one event is occurring at Manfeild Park at the same time on the same day. The event-specific Traffic Management Plan must be submitted to Council for approval prior to the event and include:
 - a. All proposed temporary traffic signs, including diversions and directional signs.
 - b. Any required road closures.
 - c. All accesses proposed for use at a specific event, including emergency vehicles, participants, visitors and overspill access points.

L) Access to Roads

- i) Any vehicle crossing proposed along Kawakawa Road must be located 50m apart. Any crossings within this distance must be joined to form one access.
- ii) Vehicle crossings constructed to arterial roads defined in Appendix **3B.1 2B (pages 192 and 193)** shall meet the following standards:
 - a. Such vehicle crossings shall only be constructed if there is no alternative legal access to another road.
 - b. The minimum sight distance to and from the vehicle crossing shall comply with the criteria in Appendix **3B.3 2C**.
 - c. The location of the crossing shall comply with Appendix **3B.3 2C**.
 - d. Use of the crossing shall not exceed 100 car equivalent vehicle movements per day.
 - e. If use of the vehicle crossing exceeds 30 car equivalent vehicle movements per day, the vehicle crossing shall be formed to the standards shown in Appendix **3B.3 2E**.
 - f. Car equivalent vehicle movements shall be calculated using Appendix **B.4 2C**.

NB – Constructing vehicle crossings may also require the approval of the road controlling authority.

M) Fencing

- i) Any fencing between the Manfeild Park and the Special Development Zone must be constructed out of material that does not restrict the views into and out of Manfeild Park.

N) Office Overlay

- i) Any building construction, alteration or development within the Office Overlay shown in Appendix 8A must comply with the performance standards specified in the Special Development Zone Rule B9.3.1.

8.4 RESTRICTED DISCRETIONARY ACTIVITIES

8.4.1 List of Activities

- A) The following shall be restricted discretionary activities in the Manfeild Park Zone zones:
 - i) Any permitted activity or controlled activity specified above which does not comply with any of the relevant standards in Rule B8.3.

8.4.2 Criteria for Assessment

- A) Applications for restricted discretionary activities shall be assessed against the matters set out in Rule A1 1.3.3.

8.5 DISCRETIONARY ACTIVITIES

There are no discretionary activities in the Manfeild Park Zone.

Note: Any activity not provided for as a permitted, controlled or restricted discretionary shall be a non-complying activity under Rule A2 2.1.

RULE B9 – SPECIAL DEVELOPMENT ZONE

(Refer Part 4.16 Page 44)

NB – Words outlined in bold type below have a specific definition contained in Rule E (Pages 165-173). Some of the activities listed below, particularly those marked “MWRC”, may also require consent from the **Regional Council**.

9.1 PERMITTED ACTIVITIES

9.1.1 List of Activities

- A) The following activities are permitted within the Special Development Zone, provided that they comply with the standards in Rule B9.3 below:
- i) Speciality shops that are ancillary to activities at Manfeild Park such as equestrian shops, motor sport accessory stores, **farming and agricultural supplier**, but excluding activities such as garden centres and the sale of boats, caravans and motor vehicles.
 - ii) **Accessory buildings**, structures or ancillary activities to permitted activities.
 - iii) **Offices**.
 - iv) **Specialist services**.
 - v) Buildings ancillary to permitted activities.
 - vi) Takeaway/lunch bars/cafe.
 - vii) **Pantry shop**.
 - viii) **Signs which comply with Rule 3E.4.2.**
 - ix) Earthworks **which comply with Rule 3D.4.2.** ~~ancillary to permitted activities or to approved controlled, restricted discretionary or discretionary activities.~~
 - x) Car parks.

9.2 CONTROLLED ACTIVITIES

9.2.1 List of Activities

- A) The following must be controlled activities in the Special Development Zone, provided that they comply with the standards in Rule B9.3 below:
- i) Relocating previously-used buildings from another **site**.

9.2.2 Criteria for Assessment

- A) The matters over which Council has reserved its control and in respect of which conditions may be imposed are set out in Rule A1 1.3.1 (page 90).

9.3 STANDARDS FOR PERMITTED AND CONTROLLED ACTIVITIES

9.3.1 Performance Standards

The permitted and controlled activities specified above must comply with the following standards:

- A) Height**
- i) Maximum building height of 9m, except within the Office Overlay (refer Appendix 8A) where the maximum building height of 12m applies.
- B) Building Coverage**
- i) The area of any buildings must not exceed 50% site coverage per **site**.
 - ii) The building footprint must not exceed 800m² per **site**, except within the Office Overlay (refer Appendix 8A) where the building footprint must not exceed 1,500m².
 - iii) The minimum building footprint must be 200m² or over per **site**.
 - iv) The minimum separation distance between buildings is 6m.
 - v) A maximum building frontage width of 25m on **sites** with frontage to South Street or Kawakawa Road.
 - vi) For pantry shops, a maximum floor area of 200m².
- NB: Complying building layouts are provided in Appendix 8D.
- C) View Shafts**
- i) A view shaft of at least 20m in width that extends into the no-build area within Manfeild Park must be provided, free of buildings, vegetation and outdoor storage facilities in those locations shown in Appendix 8A.
- D) Yards and Separation Distances**
- i) A front yard of:
 - a. 4.5m from Kawakawa Road, in accordance with Diagram 1 in Appendix 8C.
 - b. 3m from the sliplane off South Street, in accordance with Diagram 2 in Appendix 8C.
 - ii) A rear yard of 4m from the boundary with the Manfeild Park Zone, in accordance with Diagram 3 in Appendix 8C.
 - iii) A side yard of 3m.
- E) Landscape and Screen Planting**
- i) For any building construction, alteration and development occurring within the Special Development Zone the following shall apply:
 - ii) A 1.5m wide strip must be provided on the front boundary with Kawakawa Road and South Street that must be landscape planted and maintained, in accordance with Diagram 4 Appendix 8C. This landscaping shall comprise low shrubs and groundcover maintained below 0.75m in height and/or large trees with a trunk capable of being limbed up to 2m. This landscape strip may be included within the yard setback distance.
 - iii) A 1.5m wide strip must be provided on the boundary with the Manfeild Park Zone that must be landscape planted and maintained in accordance with Diagram 3, Appendix 8C. This landscaping shall comprise low shrubs and

groundcover below 0.75m in height in accordance with Diagram 4, Appendix 8C. Every 18m along the landscape strip a tree shall be planted that is capable of growing more than 4m in height and with a trunk that can be limbed up to 2m. This landscape strip may be included within the rear yard setback distance.

- iv) For formed car parking areas all parks must be bound by a 1.5m wide landscape strip that must be planted and maintained with landscaping. Within the car parking area, every 5 car park spaces must be separated by a 2m x 2m landscaping box with planting that is maintained in accordance with Diagram 5, Appendix 8C. This landscaping strip shall comprise low shrubs and groundcover maintained below 0.75m in height and/or large trees with a trunk capable of being limbed up to 2m.
- v) For building façades exceeding 10m in width, provide screen planting capable of growing 4m in height and must be maintained in accordance with Diagram 6, Appendix 8C.

NB – the preferred planting species for the Special Development Zone are found in Appendix 8C.

F) Outdoor Storage

- i) Any outdoor storage area must be screened from view by either a fence, or wall of not less than 2m in height or dense planting of vegetation capable of growing to 2m in height. Any planting must be maintained.
- ii) Outdoor storage areas are to be located at the rear of buildings and not visible from a public road.

G) Noise

Noise Received in the Special Development Zone

- i) All activities shall be conducted so as to ensure that noise shall not exceed the following limits, at any point within the boundary of any other site in the Special Development Zone:

At any time	65 dBA L ₁₀	
10.00pm to 7:00am the following day		85 dBA L _{max}

Noise Received in Recreation Zones

- ii) All activities shall be conducted so as to ensure that noise shall not exceed the following limits, at any point within the boundary of the Recreation zone:

At any time	55 dBA L ₁₀
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Noise Received in Rural and Residential Zones

- iii) All activities shall be conducted so as to ensure that noise shall not exceed the following limits, at any point within the notional boundary of any rural dwelling or at any point within the boundary of any site zoned Residential:

7.00am to 10:00pm	50 dBA L ₁₀	
10.00pm to 7:00am the following day		40 dBA L ₁₀ and 60 dBA L _{max}

Measurement

- iv) Sound levels shall be measured in accordance with New Zealand Standard NZS 6801:1991 Measurement of Sound and assessed in accordance with

NZS 6802:1991 Assessment of Environmental Sound.

H) Effluent Disposal

- i) Adequate provision must be made for disposal of any solid or liquid effluent, and for the hygienic storage of waste matter. ^{MWRC}

I) Signs

Compliance with Rule 3C.4.1, except as provided for by Rule 9.3.1(I)(i) and (ii), below.

A) ~~[Deleted PC55]~~

~~Signs affecting safety~~

- ~~i) Signs shall not detrimentally affect traffic safety or traffic control by creating a visual obstruction or by causing confusion to motorists.~~
- ~~ii) Signs shall not reduce or obstruct the conspicuity of official signs or traffic signs.~~
- ~~iii) Signs shall not be structurally unsound or unsafe.~~
- ~~iv) Any illuminated signs shall not be flashing, animated or trivision.~~
- ~~v) Signs shall not involve revolving lights, lasers, or aerial signs.~~

B) ~~[Deleted PC55]~~

~~Signs on roads~~

- ~~i) On legal roads in the Special Development Zone, the only signs permitted are:

 - ~~a. Official signs.~~
 - ~~b. Official information boards.~~
 - ~~c. No more than one sign placed on the footpath per site. Such signs shall not exceed 0.8m² in area and shall only be placed outside the premises which they advertise.~~
 - ~~d. Signs located above the footpath or carriageway, provided that no part of such signs shall be less than 2.5m above the footpath or 5.5m above the carriageway.~~~~

~~NB Signs on roads also need approval from the road controlling authority.~~

C) ~~Signs in the Special Development Zone~~

- ~~i) All signs must be attached to and within the profile of a building, except for one free-standing sign not exceeding 3m² for any permitted use of the site.~~
- ~~ii) Traffic signs, or signs showing the name of the road, number of the premises or the location, timetable or other details of any utility or public facility.~~

J) Artificial Lighting

- i) No artificial lighting shall be installed in a manner that results in adverse effects to road users or adjacent residential properties.

K) Access and Car Parking

- i) All new access to **sites** fronting South Street must be accommodated by a service lane, see Appendix 8E.
- ii) No direct access to **sites** from South Street is permitted.
- iii) Any vehicle crossings proposed along Kawakawa Road must be located 50m apart. Any crossings within this distance must be joined to form one access.
- iv) Any building construction, alteration or development must provide car parking in accordance with section **3B.4.5 A2-2.4** of the District Plan.
- v) The minimum sight distance to and from the vehicle crossing and intersections shall comply with the criteria in Appendix **3B.3. 2C.**

L) Fencing

- i) Any fencing between the Manfeild Park and the Special Development Zone must be constructed out of material that does not restrict the views into and out of Manfeild Park.

9.4 RESTRICTED DISCRETIONARY ACTIVITIES

9.4.1 List of Activities

- A) The following are restricted discretionary activities in the Special Development Zone:
 - i) Any permitted activity or controlled activity specified above which does not comply with any of the relevant standards in Rules B9.3.

9.4.2 Criteria for Assessment

- A) Applications for restricted discretionary activities must be assessed against the matters set out in Rule A1 1.3.3.

9.5 DISCRETIONARY ACTIVITIES

- A) The following are discretionary activities in the Special Development Zone:
 - i) Restaurants and taverns
 - ii) Motels

NB – any activities not provided for are a Non-complying Activity under Rule A2 2.1.

RULE C – SUBDIVISION

RULE C1 – STATUS OF SUBDIVISIONS

(Refer Part 5, Page 45)

NB – Words outlined in bold type below have a specific definition contained in Rule E (Pages 165-173).

1.1 CONTROLLED ACTIVITIES

1.1.1 Specification of Activities

The following subdivisions shall be controlled activities:

- A) Any subdivision to adjust the position of titles or boundaries, which will not increase the number of titles concerned or the number of permitted dwellings, and which will not result in the subdivision of any “base portion” of an allotment under Rule C2 2.4.1 A) (Page 154).
- B) Any subdivision for utilities such as substations, transformers or pumping stations, provided that the balance of the site continues to comply with the provisions of this Plan, and that access to the utility is independent of the residual site.
- C) Any Residential zone, Village zone, Business zone, Industrial zone or Recreation zone subdivision which meets the relevant standards set out in Rules C2 2.1 to 2.3 and Rule 2.5 (Pages 153, 154 and 158).
- D) Any Rural zone or Flood Channel zone subdivision which meets the relevant standards set out in Rules C2 2.4 and 2.5 (Pages 154-158), and which does not involve land wholly or partly within the coastal area as shown on the Planning Maps.

1.1.2 Extent of Control

- A) The matters in respect of which **Council** has reserved its control over controlled activity subdivisions are set out in Rule A1 1.3.2 (Page 92).

1.2 RESTRICTED DISCRETIONARY ACTIVITIES

1.2.1 Specification of Activities

- A) The following subdivisions shall be restricted discretionary activities:
 - i) Any Rural zone or Flood Channel zone subdivision which does not meet Rule C2 2.4.1 H) by virtue of a failure to comply with Rule B3 3.3.1 D) (Page 126), but which does not involve a greater number of allotments than would be permitted by the latter rule and the average lot size controls in Rule C2 2.4 (Pages 154-158).
 - ii) Any other Rural zone or Flood Channel zone subdivision which meets the average lot size controls in Rule C2 2.4 (Pages 154-158), but which does not meet one or more of the other standards in that Rule.

- iii) Any subdivision to provide separate titles for two or more dwellings which existed on a single title on 1 August 1998, if none of the dwellings concerned were built for dependent relatives or as granny flats under any previous District Plan.
- iv) Any subdivision of land which provides a building site within 20m either side of the centre point of a high voltage (110kV or higher) transmission line, except that this rule will not apply to any subdivision where rule C1 1.2.1 A) vii) applies.
- v) Any subdivision within a Growth Precinct (Appendix 9 A-C) that does not comply with the stormwater neutrality standard in rule C2 2.1.1 E).
- vi) Any subdivision within a Growth Precinct (Appendix 9A-C) that does not comply with the wastewater disposal standard in Rule C2 2.1.1 G).
- vii) Any subdivision of land within the National Grid Corridor that is also within Growth Precinct 1 (Appendix 9A) and that complies with the standard in Rule C2 2.1.1 F).

Restricted discretionary activities shall be assessed in terms of the matters in Rule A1 1.3.3 (Page 93).

1.3 DISCRETIONARY ACTIVITIES

1.3.1 Specification of Activities

- A) The following subdivisions shall be discretionary activities:
 - i) Any otherwise non-complying subdivision in the Rural zone or Flood Channel zone, if as a result of the subdivision an area of **indigenous forest** or a substantial archaeological site is to be protected by covenant or other legal means (Refer Appendix 1I, Page 189).
 - ii) Any Rural zone or Flood Channel zone subdivision which does not meet the controls in Rule C2 2.4 (Pages 154-158), on land within a **nodal area**, but only if the allotments being created do not have frontage to an **arterial route** (Appendix ~~3B.1. 2B, Pages 192 and 193~~).
 - iii) Any subdivision of Rural zone or Flood Channel zone land wholly or partly within the coastal area as shown on the Planning Maps.
 - iv) Any subdivision within the Manfeild Park Zone.
 - v) Any subdivision within the Special Development Zone.
 - vi) Any subdivision within a Growth Precinct (Appendix 9A-C) that does not comply with the minimum lot sizes and/or minimum lot frontage standard in Rule C2 2.1.1 (A).
 - vii) Any subdivision within a Growth Precinct that is not in accordance with the requirements specified in a relevant Structure Plan (Appendix 9A-C).

- viii) Any subdivision within a Growth Precinct (Appendix 9A-9C) that does not comply with the flood hazard standard in Rule C2 2.1.1 H).

1.3.2 Criteria for Assessment

- A) The criteria set out in Rule A1 1.3.4 A), particularly xiv), xxiv) or xxvi), will be taken into account in assessing the above discretionary activities. (Page 94).

1.3A NON-COMPLYING ACTIVITIES

1.3A.1 Specification of Activities

- A) The following subdivisions shall be non-complying activities:
 - i) Any subdivision of land within the National Grid Corridor that is also within Growth Precinct 1 (Appendix 9A) that does not comply with the standard in Rule C2 2.1.1 (F).

1.4 POWER TO DECLINE SUBDIVISIONS

Even if a subdivision complies with the above standards, **Council** may decline consent under Section 106 of the Act. (Refer Part 5.3.6, Page 50).

RULE C2 – ZONE STANDARDS – SUBDIVISION

NB – Words outlined in bold type below have a specific definition contained in Rule E (Pages 165-173).

2.1 STANDARDS - RESIDENTIAL ZONE

(Refer Parts 5.3.3 to 5.3.11, Pages 48-57)

2.1.1 Greenfields Subdivisions

- A) Any subdivision shall comply with the relevant minimum lot size and frontage widths as set out in Table 1 below for the existing Residential Zone and areas shown within the Growth Precincts:

Table 1

Area	Minimum Lot Size (Net Site Area)	Minimum Frontage Width for each lot
Existing Residential	500m ²	-
Growth Precinct – Density 1	2000m ²	40.0m
Growth Precinct – Density 2	800m ²	25.0m

- B) Access and roading design and construction shall comply with the standards contained within NZS 4404:2010 Land Development. Where common access to six or more allotments is to be provided, this access must be a new legal road, to be formed to Council standards.
- C) Shape factor - each **site** shall be capable of containing an 18m diameter circle.
- D) Any subdivision proposals shall be designed in accordance with the requirements specified in the relevant Structure Plan (Appendix (9A, 9B, 9C)).
- E) Any subdivision shall include a stormwater system design that achieves stormwater neutrality at the following scales:
- ii) Over the area of land that is the subject of the subdivision proposal.
 - iii) Over the Growth Precinct in which the subdivision proposal is located.

- F) Any subdivision of land within the National Grid Corridor shall identify a building platform to be located outside the National Grid Yard.
- G) Any subdivision that includes a lot smaller than 5,000m² must be connected to reticulated wastewater services.
- H) Any subdivision containing a waterbody shall include:
 - i) consideration and assessment of flood hazard effects; and
 - ii) measures to ensure that effects of flooding from the waterbody area avoided or mitigated.

2.1.2 Infill Subdivision

NB: - An application for land use consent will be needed for development of **sites** under 350 m². (Refer Rule B1 1.2.1, Page 108).

- A) **Infill** subdivision proposals which do not comply with the minimum lot size, or shape factor rules above shall demonstrate that:
 - i) The **site** can accommodate the proposed new and any existing development in compliance with the standards in Rule B1 1.3 (Pages 109-116).
 - ii) The proposed sites can be satisfactorily serviced.
- B) **Infill** subdivision proposals shall comply with Rules C2 2.1.1 B) above.

NB - Overall development plans of the proposed new and any existing development must accompany infill subdivision proposals. (Refer Rule A1 1.2.3, Page 87)

2.2 STANDARDS - VILLAGE ZONES

(Refer Parts 5.3.3 to 5.3.11, Pages 48-57)

2.2.1 Performance Standards

- A) Minimum **Site** Areas
 - i) Sewered 500m² **net site area**.
 - ii) Unsewered 800m² net site area.
- B) Any **entrance strip** which provides legal access to a **rear site** shall have a minimum width of:
 - i) 3m where the number of sites is not greater than four. If visibility is restricted along the **entrance strip**, spaces visible from one to another shall be provided to enable vehicles to pass.

- ii) 6m where the number of sites is greater than four. This width may be reduced to 3m if the entrance strip includes space for vehicles to pass, such spaces being visible from one to another.
- C) Where common access to eight or more residential allotments is to be provided, this access must be a new legal road, to be formed to **Council's** standards.

2.3 STANDARDS – BUSINESS, INDUSTRIAL, RECREATION, MANFIELD PARK AND SPECIAL DEVELOPMENT ZONES

(Refer Parts 5.3.3 to 5.3.11, Pages 48-57)

2.3.1 Suitability Of Lots

The applicant must demonstrate that all new allotments can be used for a permitted activity in a manner that conforms to this Plan. Development plans for the land being subdivided may be required, to prove compliance with the Plan's standards.

2.3.2 Access To Rear Sites

Any **entrance strips** to rear **sites** shall be wide enough for heavy vehicle access.

2.4 STANDARDS - RURAL ZONES AND FLOOD CHANNEL ZONES

(Refer Parts 5.3.1 to 5.3.7 and 5.3.11, Pages 46-53 and 57)

2.4.1 Performance Standards

- A) Average Lot Size Rule- General
 - i) The maximum number of additional allotments which may be created by subdivision of any title shall not exceed the subdivision entitlement (SE) or remaining entitlement (RE) calculated in accordance with B) or C) below.
 - ii) If the subdivision entitlement (SE) or remaining entitlement (RE) calculated for any title is less than one, no subdivision of that title shall be permitted. Fractions shall be disregarded.
 - iii) Any land which comprises the "base portion" of the title concerned, as determined under B) ii) below, shall not at any time be subdivided further.
 - iv) If the land being subdivided includes more than one title, or involves a title which is zoned partly Rural 1 and partly Rural 2, the subdivision entitlement or remaining entitlement for that land shall be calculated by adding together the entitlements of the individual titles or parcels of land concerned.

B) Average Lot Size Rule- Parent Titles.

- i) Titles which existed on 1 August 1998 shall be termed “parent titles.” The subdivision entitlement (SE) of such titles shall be calculated by taking the total area of the title (A) and dividing it by:

Rural 1 Zone, with or without Flood Channel zone land- 8
(R1)

Rural 2 Zone, with or without Flood Channel zone land- 4
(R2)

Flood Channel zone land without Rural 1 or 2 zone land- 8
(FC)

and then subtracting 1.0 from the resulting number. ie

$$SE = \left(\frac{A}{R1 \text{ or } R2 \text{ or } FC} \right) - 1.0$$

- ii) An area comprising one half of the parent title or an area comprising 20 hectares, whichever is a smaller area of land, shall be identified within each subdivision of a parent title as a “base portion”. This area of land must be wholly retained within one of the new allotments being created.

EXAMPLE

Farmer Brown has a title which is zoned partly Rural 1 and partly Flood Channel 1. It is 92.7ha in area and has existed since 1967. To find out its subdivision potential he divides 92.7ha by 8 (R1 from above).

His calculator gives an answer of 11.58, and he then subtracts one to give an answer of 10.58. The fraction of .58 is disregarded.

The property can therefore be divided to produce a maximum of ten extra lots plus a balance area. (SE=10.)

Farmer Brown then calculates his “base portion,” which is half of the original title (ie 46.35ha, or 20ha, whichever is smaller). The answer he finds is therefore 20ha.

The 10 extra allotments plus balance area can be of any size the farmer chooses, as long as the base portion (ie at least 20ha) remains in one piece and the Plan’s other rules (eg 0.8 ha minimum size) are met.

- iii) When a parent title is subdivided, the entitlement to subdivide shall be recalculated and distributed among the resulting titles as follows:

- a) The number of additional allotments (N) which have been subdivided from the parent title shall be subtracted from the maximum number of additional allotments which could have been subdivided from the parent title (SE from above), to give the total remaining entitlement (tRE), ie

$$tRE = (SE - N)$$

EXAMPLE

Farmer Brown subdivided the 92.7ha property into three pieces, ie created two extra lots. (N=2). It was however allowed to be subdivided to provide up to 10 extra lots. (SE=10). The total remaining entitlement (tRE) is therefore eight extra allotments. This entitlement is then divided amongst the three pieces of land (the resulting titles) as described below. (NB -If Farmer Brown’s subdivision had already created the maximum of ten additional allotments from his property, no further subdivision would be allowed.)

- iv) The total remaining entitlement (tRE), if any, shall be apportioned amongst the resulting titles (RT) by dividing the area of each resulting title by the area of the parent title (PT), and then multiplying the result by the total remaining entitlement (tRE). For this calculation the area of the base portion (BP) shall be excluded from the parent title and from any resulting title within which it is located.

$$RE \text{ for each Resulting Title} = tRE \times \left(\frac{RT \text{ Area} - BP}{PT \text{ Area} - BP} \right)$$

EXAMPLE

The three titles created from Farmer Brown’s 92.7ha property had areas of 50ha, 18ha and 24.7ha. The 50ha Lot 1 contains the 20ha base portion. This 20ha is subtracted from the parent title, and from Lot 1. The three new titles (with Lot 1 now being a net area of 30ha) are each divided by the net area of the parent title (72.7ha), and then multiplied by the total remaining entitlement of 8, as follows:

Lot 1 is 30ha/72.7ha = 0.412	Then 0.412 x 8 = 3.30
Lot 2 is 18ha/72.7ha = 0.248	Then 0.248 x 8 = 1.98
Lot 3 is 24.7ha/72.7ha = 0.340	Then 0.340 x 8 = 2.72

Lot 1 can therefore have three additional lots (ie can be subdivided into up to four pieces). Lot 2 can have one additional lot, and Lot 3 can have two additional lots

C) Average Lot Size Rule – Resulting Titles and Subsequent Subdivisions

- i) In any subdivision of “resulting titles”, and in any subdivisions thereafter, the subdivision entitlement shall be recalculated for each new title. This recalculation shall be done in the manner described in B) above, except that the “parent title” shall be deemed to be the title being subdivided rather than that which existed on 1 August 1998.

EXAMPLE

Farmer MacDonald buys one of Farmer Brown's three resulting titles, namely Lot 1 of 50ha. She knows that it can be potentially subdivided to provide three additional lots, and cuts it into two blocks of 12ha and 38ha. The subdivision potential of the two pieces is then recalculated. The potential of her block was three additional lots, and she has subdivided to provide only one. The total remaining entitlement is therefore two.

This total remaining entitlement then needs to be apportioned between the two new pieces of land which Farmer MacDonald has created. The 38 ha block contains the 20ha base portion, which needs to be subtracted from the area of both that allotment and the 50ha Lot 1.

To do this the net areas of both allotments (12 and 18ha are each divided by the net area of the title from which they came (30ha), and then multiplied by the total remaining entitlement of the whole 50ha block (2 new lots), as follows:

Lot 1, is 12ha /30ha = 0.40	Then 0.40 x 2 = 0.80
Lot 2, is 18ha net/30ha = 0.60	Then 0.60 x 2 = 1.20

Lot 2 can therefore be subdivided to provide one additional allotment, ie cut into two pieces. Lot 1 cannot be subdivided since its entitlement is less than one additional lot.

NB: Council will place a consent notice on the titles of newly-subdivided allotments which have no further subdivision potential under this Plan, to alert potential purchasers to that fact (Refer Rule A1 1.3.2 A) xiii), Page 92).

D) Minimum Lot Size

All allotments shall be at least 0.8ha in area.

E) Separation Factor For Potential Houses

All allotments shall be capable of containing a notional dwelling site which is at least 35 metres from all boundaries of that allotment. The notional dwelling site shall consist of a 20 metre diameter circle, and shall meet the requirements of H) below as a suitable building site.

F) Effluent Disposal

- i) All allotments being created shall have a demonstrated suitability for the disposal of effluent from a dwelling on the land.
- ii) Effluent shall be disposed of either within the **site** or into a **Council**-approved collective disposal system. Sewage drainage easements into neighbouring properties will not be permitted.

G) Access To Land Drainage & Water

- i) All allotments shall be demonstrated to have direct or legal access to natural or practical land drainage.
- ii) All allotments being created for other than purely residential purposes shall have an adequate piped supply of water for stock watering

purposes. This water supply may be by means of a supply easement from another property, or by means of a piped supply from a fenced farm dam.

- iii) Allotments being created for a purpose which involves large areas of parking, buildings or other impervious surfaces shall make appropriate provision for stormwater disposal.

H) Suitable Building Site

All allotments shall have at least one suitable site where a dwelling could be erected, together with associated effluent and stormwater disposal systems. For the purposes of this rule a suitable dwelling site is one which complies with this Plan's performance standards, is not within the Air Noise Area, (Refer Appendix 3A, Page 203), and has been demonstrated to be free of land stability hazards.

I) Access To Allotments

- i) All allotments shall have at least one place for a vehicular access point which meets the sight distance requirements in Appendix **3B.3. 2C (Page 194)**. This access point may be shared with other property, provided that any necessary legal arrangements are entered into.
- ii) Any **entrance strip** which provides legal access to a **site**, shall have a minimum width of:
 - a) 8m where the number of sites is two or less,
 - b) 10m where the number of sites is three or four.
 - c) 12m where the number of sites is five or more.
- iii) Any vehicle crossings proposed by a subdivision and located less than 50 metres apart shall be combined to create a joint crossing place, if located on the same side of the road concerned.
- iv) Where common access to eight or more allotments is to be provided, this access must be a new legal road, to be formed to the **Council's** standards

NB: Where a new vehicle crossing is proposed to, or near, an **arterial route**, land use consent may be required if the relevant standards are not met. (Refer Rules B3 3.3.1 Q) and B7 7.3.1 E), Pages 129 and 146).

J) Fragmentation of **Natural Areas**

No subdivision shall result in:

- i) Any new boundary within any area of **indigenous forest**, or within any **wetland** listed in Appendix 1A (Page 174), or
- ii) The fringes or bed of a lake being comprised in a greater number of titles than is currently the case, unless that area is to be protected by a **legal covenant**.

K) New Intersections

Spacing and visibility guidelines – Refer Appendix **3B.3. 2C, Page 194**.

2.5 FURTHER STANDARDS APPLYING IN ALL ZONES

A) Exception To Frontage Requirements

Council may approve allotments without road frontage where it is satisfied with alternative access. (Section 321(3) Local Government Act 1974).

B) Concept Plans

In respect of any land capable of providing more than 50 housing allotments, Council may require an overall concept plan to be submitted, prior to any application for subdivision consent being considered.

C) Party Walls

Where a subdivision creates a party wall, that wall must comply with the Building Act's fire rating and structural requirements.

D) Services In Residential, Village, Business, Industrial, Manfeild Park and Special Development Zones

- i) Sites in these zones shall be connected to reticulated services, and shall not cause existing services to be overloaded.
- ii) All cables, including for power, telephone, and street lighting, shall be placed underground, except where existing services are above ground or where in Council's opinion, underground services are economically unjustifiable due to problems associated with such issues as topography, geology, land stability or operational requirements.
- iii) Where **rear sites** are being created, or a multi-unit development is being subdivided, easements shall be created over all underground services.

E) Separation From Boundaries

All proposed boundaries shall be sited at a sufficient distance from buildings to comply with the **yard** and **height** requirements of this Plan, and to meet the fire rating requirements of the Building Act 1991.

F) High-Voltage Electricity Transmission Lines

Where land being subdivided contains high voltage (110kV or higher) transmission lines the subdivision design shall provide for building sites no closer than 20m either side of the centre point of the transmission line.

G) Access to sites within the Manfeild Park Zone

- i) Any vehicle crossings proposed along Kawakawa Road must be located 50m apart. Any crossings within this distance must be joined to form one access.

H) Access to **sites** within the Special Development Zone

- i) Access to **sites** from South Street must be accommodated by a service lane adjacent to South Street.
- ii) Any vehicle crossings proposed along Kawakawa Road must be located 50m apart. Any crossings within this distance must be joined to form one access.

RULE C3 – ESPLANADE MANAGEMENT

(Refer Part 6, Page 59)

3.1 ESPLANADE RESERVES

3.1.1 Circumstances

- A) **Council** will not require an **esplanade reserve** to be set aside from land being subdivided or **roads** being stopped, unless:
- i) The land is located within Feilding township and adjoins the bank of the Oroua River or Kiwitea Stream.
 - ii) The land adjoins the Makino Stream between Beattie and Denbigh Streets, and lies within the land comprised in Land I.D 7032, or
 - iii) The land adjoins the coast.

3.2 ESPLANADE STRIPS

3.2.1 Circumstances

- A) An esplanade **strip** for public access purposes will be required (subject to Rule C3 3.4.1 below) over land being subdivided or roads being stopped which adjoin:
- i) The Rangitikei or Manawatu Rivers.
 - ii) The Oroua River downstream of the Ruahine Forest Park.
 - iii) The Mangaone Stream downstream of the Main Trunk Railway.
 - iv) The Kiwitea Stream between Reids Line West and the Oroua River.
 - v) The Makino Stream, between Reids Line West and Port Street, or between Rata Street and Kitchener Park.
- B) An esplanade **strip** for public access purposes up to 1km from any existing road access point or reserve will be required (subject to Rule C3 3.4.1 below) over land being subdivided or roads being stopped which adjoin:
- i) The Pohangina River.
 - ii) The Mangoira, Makiekie or Mangahuia Streams.
 - iii) The Waituna Stream downstream of SH 54.
 - iv) The Kiwitea Stream between Mangamako Road and Reids Line West.
 - v) The Mangawharariki River.
- C) **Council** may require an **esplanade strip** to be created for water quality and/or conservation purposes over land being subdivided or **roads** being stopped which adjoin:
- i) Lake Kaikokopu.
 - ii) Lake Omanuka.

- iii) Karere Lagoon.
 - iv) Hamilton's Bend Lagoon.
(The esplanade strip documents for these lakes shall exclude public access).
- D) Council may require an esplanade strip to be created for conservation purposes over land being subdivided or roads being stopped which:
- i) Include **indigenous vegetation** which is regarded as significant in terms of the criteria in Appendix 1I. (Page 189)
 - ii) Adjoin the Mangaone West Stream between Te Rakehou Road and Awahuri Road, unless that area is protected by a **legal covenant**.
- E) The provision of esplanade strips will be subject to the standards and exemptions in Rule 3.4.1 below.

3.3 LAND USE CONSENTS

3.3.1 Circumstances

When considering applications for land use consent, **Council** may require an esplanade strip for water quality and/or conservation purposes to be created, if the proposal is likely to have a significant adverse effect upon:

- i) Water quality,
- ii) The natural functioning of an adjacent river or lake, or
- iii) The natural values associated with the riparian margin of any adjacent river or lake,

and if an esplanade strip is necessary to mitigate those adverse effects.

3.4 WIDTH OF RESERVES AND STRIPS

3.4.1 Standards and Exemptions

- A) **Esplanade reserves** will be 10 metres wide if adjoining the portion of the Makino Stream specified in C3 3.1.1 A) above, and 20 metres wide if adjoining other water bodies.
- B) **Esplanade strips** for public access purposes will be 10 metres wide, unless a greater width is needed to provide a workable walkway.
- C) Esplanade strips for water quality and/or conservation purposes are to be 20 metres wide.
- D) The standard widths in A) or B) above may be reduced in circumstances where:
 - i) Other parts of the reserve or strip are correspondingly wider,
 - ii) A full width reserve or strip would pass too close to an existing dwelling, or
 - iii) The objectives of the reserve or strip can still be met by a reduced width.

- E) Esplanade strips for public access may be dispensed with altogether in cases where Council is satisfied that:
- i) Adequate legal access to the water body is provided by a legal road (formed or not)
 - ii) Access along the other side of the water body is more practical, and access is not needed on both sides
 - iii) Topography along the strip makes access unworkable
 - iv) The site of the strip is unlikely to ever be accessible from a public road, or
 - ii) The strip would lead to an area of **indigenous vegetation** or **wetland**, and public access would be incompatible with the effective protection of that area
 - iii) The purpose of the strip can be achieved by other methods, eg covenants, or
 - iv) Public safety would be compromised by providing a strip.
- F) Esplanade strips for water quality and /or conservation purposes may be dispensed with wholly or partially. Any application to reduce or waive an esplanade strip will be assessed having regard to the following matters:
- i) The extent to which the natural functioning of the water body, water quality, and land and water-based habitats will be affected by any reduction in the width, size or non-provision of the strip,
 - ii) The degree of protection of the natural values associated with the strip that will remain,
 - iii) The degree to which the purpose of the strip can be, or is already, achieved by other mechanisms, (eg covenants, conditions of resource consents, voluntary methods) and,
 - iv) The extent to which the public benefits gained with respect to the strip justify the cost of acquiring and maintaining the strip, while recognising that important benefits in terms of improved water quality, habitat and access cannot readily be expressed in monetary terms.

RULE D - FINANCIAL CONTRIBUTIONS

RULE D1 – CONTRIBUTIONS ON SUBDIVISION AND DEVELOPMENT

(Refer Part 7, Page 66)

NB – Words outlined in bold type below have a specific definition contained in Rule E, Pages 165-173.

1.1 RESERVE CONTRIBUTIONS

(Refer Part 7.5, Page 69)

1.1.1 Circumstances

Reserve Contributions in the form of land and/or cash may be imposed:

- A) As a condition of subdivision consent where the subdivision would produce an additional lot or lots upon which a dwelling could be built in the future.
- B) In relation to multi-unit residential developments (ie where more than one dwelling is to be built on an allotment).

1.1.2 Amount of Contribution

- A) The amount of the contribution shall be \$1,250.00 (including GST) for each additional allotment under 1.1.1. A) above, and for each additional **dwelling unit** under 1.1.1 B) above. This sum shall apply until July 1 1999. It shall be altered by **Council** on that date and annually thereafter, based on the rate of change in the Construction Cost Index for the previous calendar year.
- B) The contribution may be levied in land, in cash or a combination of the two, provided that the total value of the contribution does not exceed that in 1.1.2 A) above.

1.2 UTILITY SITES

(Refer Part 7.3, Page 67)

1.2.1 Circumstances

Land within a subdivision may be required to be set aside as a site for a pumping station, reservoir or other **utility** if that facility serves the land in the subdivision.

1.2.2 Amount of Contribution

The maximum amount of the contribution shall be the full area of land required for the utility.

1.3 PROVISION OF ROADS AND PEDESTRIAN ACCESSWAYS

(Refer Part 7.4, Page 68)

1.3.1 Circumstances

Financial contributions for the provision of **roads** and pedestrian accessways may be imposed where new allotments are intended for human habitation or occupation.

1.4 MAXIMUM AMOUNT

The full actual cost of providing the necessary land for all **roads** and pedestrian accessways to and within the land being subdivided,

NB – The subdivider may also be required to contribute formation works and services as a condition of subdivision consent.

1.5 UPGRADING AND/OR WIDENING EXISTING ROADS

(Refer Part 7.4, Page 68)

1.5.1 Circumstances

Financial contributions for upgrading and/or widening existing **roads** may be imposed where existing roads are of inadequate width or construction to cater for increased traffic caused by the subdivision, or caused by a new dwelling or other building, if:

- a) The particular subdivision or development is likely to give rise to additional traffic on the road concerned, and
- b) The road then needs to be upgraded to a higher standard as a result of this traffic.

1.5.2 Maximum Amount of Contribution

- A) Where the land being subdivided or developed lies on both sides of the road concerned - 100% of the actual cost of upgrading to meet the required standard, including where appropriate the value of any land for road widening.
- B) Where the land being subdivided or developed lies on one side of the road concerned - 50% of the actual cost of upgrading to meet the required standard including the value of any land for road widening.

1.6 WATER SUPPLY, SEWER AND STORMWATER DRAINAGE AND SEWAGE DISPOSAL

(Refer Part 7.3, Page 67)

1.6.1 Circumstances

Financial contributions for the provision of water supply, sewer and stormwater drainage and sewage disposal may be imposed where new allotments are intended for human habitation or occupation.

1.6.2 Maximum Amount

Where a piped water supply or sewerage system or piped stormwater system is available (ie located within 100 metres of the land being subdivided):

- i) The full actual cost of all necessary reticulation for each allotment in the subdivision, plus
- ii) The full actual cost of the first 30 metres of the connection between the new reticulation within the subdivision and the existing reticulation, plus
- iii) Where the land concerned has not contributed to the capital cost of installing:
 - a) The water supply and treatment system,
 - b) The stormwater disposal system, or
 - c) The sewerage system, including treatment and disposal facilities,

A capital contribution per allotment not exceeding the average real cost which other users of the system have paid toward its installation.