

## HOW THE PLAN WORKS

# GEN – General Approach

## ~~The Content Structure of the District Plan~~

### ~~Contents~~

~~The District Plan is prepared as a single document which addresses the resource management issues affecting the Manawatū District. The document should be read as a whole so that the common themes and the relationships between the various provisions can be understood.~~

~~The Plan consists of the following two main parts:~~

- ~~1. Objectives, policies and rules divided into chapters. Each chapter addresses a separate topic with some applying district wide and others being specific to areas of land referred to as zones. Each chapter is accompanied, where necessary, by appendices which provide additional information.~~
- ~~2. Maps illustrate zoning and other planning controls for the District.~~

### ~~Structure~~

~~Each chapter in the District Plan is structured to contain the following information:~~

- ~~1. The significant resource management issues~~
- ~~2. The objectives to resolve the issues~~
- ~~3. The policies to implement the objectives~~
- ~~4. The rules to implement the objectives and policies.~~

### ~~Resource Management Issues~~

~~Resource management issues are statements about the qualities or values that are important to the Manawatū District which need to be addressed to achieve sustainable management.~~

Issues have been identified through monitoring of the effectiveness of the Operative District Plan (2002) and through consultation with, and feedback from the community.

## Objectives

The objectives identify what the *Council* wants to achieve in the *environment* and outlines the direction the *Council* has chosen to take to address the resource management issues identified.

Objectives may state an environmental outcome for a specific *zone* such as maintaining the character that is unique to that *zone*. Objectives may also relate to issues which apply throughout the District, such as:

1. Infrastructure
2. Heritage matters
3. Natural hazards
4. Hazardous facilities and contaminated *sites*.

## Policies

Policies relate directly to objectives. They are broad action steps that address aspects of an objective. Policies state what the *Council* is going to achieve, or the outcome sought to achieve the objective.

## Rules

The Plan includes rules for the purpose of carrying out the *Council's* functions under *the Act* and achieving the objectives and policies of the District Plan. The type, form and scale of different activities are controlled by rules. Some rules are applicable throughout the District, such as those relating to historic heritage. Others are to manage specific *effects* experienced in certain areas and are applied to a specific *zone*. District-wide rules need to be addressed in conjunction with rules for the specific *zone*.

All rules in the District Plan have the force of statutory regulation.

## Defined terms

Throughout the Plan, defined terms are italicised and can be found in the Definitions chapter.

# Procedural information

## General duty to comply

Compliance with the District Plan and the Resource Management Act (1991) does not remove the need to comply with all other applicable acts, regulations, bylaws and rules of law. Activities which do not require a *building* consent under the *Building Act* (2004) may still require a resource consent under this District Plan.

## Types of activities

The Resource Management Act (1991) classifies activities into the following types:

1. *Permitted activities*
2. *Controlled activities*
3. *Restricted discretionary activities*
4. *Discretionary activities*
5. *Non-complying activities*
6. *Prohibited activities.*

The status of activities assumes a hierarchy that reflects those activities that are anticipated to have minimal impact on the *environment* (permitted) through to those which anticipate the most significant environmental impact (prohibited).

Resource consents are not required for *permitted activities*, but are required for all others identified in the Plan. The exception to this is prohibited activities. *Council* cannot grant a resource consent for such an activity. It can only be provided for in the Plan by means of a plan change.

In some instances, *Council* has restricted its discretion to certain matters identified in the District Plan (*restricted discretionary activities*) and in other instances, there is no restriction on *Council's* discretion (*Discretionary Activities*). For *Discretionary Activities*, the *Council* may impose a wide range of conditions that have regard to a range of potential environmental effects.

There are two types of *non-complying activities* in the District Plan, those that are listed as *non-complying activities* and activities which default to a non-complying status because they are not specifically provided for as permitted, controlled, restricted discretionary or discretionary.

Guidance on applying for a resource consent is contained in *Council's* brochure named "A Guide to Land Use Consents".

## ~~Changes to the District Plan~~

### ~~Public plan changes and variations~~

~~The Act sets out a formal process where the Council can propose changes or variations to the District Plan. District Plan changes apply to an operative plan. Variations apply to a proposed plan or plan change. Any plan changes or variations will need to be publicly notified and there are submission, hearing and appeal rights.~~

~~The Council has a responsibility to maintain a district plan which is current and relevant and which addresses contemporary issues in the environment. The provisions of the District Plan may therefore be changed or varied as necessary.~~

### ~~Private plan changes~~

~~The Act sets out a formal process where any person can lodge a request with the Council seeking a change to the District Plan. Further information about this process, including the information requirements, and likely costs, can be obtained from the Council.~~

## ~~Monitoring~~

~~The Council is required to gather such information and undertake or commission such research as is necessary to carry out effectively its functions under the Act. This includes monitoring the efficiency and effectiveness of policies, rules, or other methods in the District Plan. Monitoring is undertaken throughout the life of the District Plan and appropriate Plan Changes will be initiated to respond to issues that may be identified in future.~~

~~The following types of monitoring will be undertaken by the Council:~~

- ~~● Collecting and analysing information about resource consents.~~
- ~~● Monitoring complaints and enforcement actions.~~
- ~~● Monitoring trends through analysing statistics e.g. census, accident statistics, building consents, traffic data.~~
- ~~● Scientific measurement, e.g. of land or water quality.~~
- ~~● Maintaining records of natural hazards.~~

~~[DELETED PCI]~~

# Significant resource management issues facing the district

## Introduction

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

The *Regional Council* plays the major role in issues GEN-15, GEN-17, GEN-112 and GEN-113, and also has a part to play along with *Council* in addressing Issues GEN-13, GEN-14, GEN-16, GEN-18, GEN-111 and GEN-114.

## General Issues

<b>GEN-11</b>	The District’s people need to be able to provide for their social and economic and cultural well-being and for their health and safety, without having extra barriers created by unnecessary restrictions in the District Plan.
<b>GEN-12</b>	Appropriate ways to take Māori values into account and to involve the Tangata Whenua in Resource Management decision-making are still being refined.
<b>GEN-13</b>	There has been a major loss of natural ecosystems in the District, particularly those on the lowland plains which would have supported a high level of biodiversity. Lost ecosystem values need to be restored and the remaining fragments protected to enhance and safeguard the biodiversity of the District.
<b>GEN-14</b>	Past land uses, developments, <i>signs</i> and surface water uses have not always fitted into their surroundings without causing problems such as:  (New and existing activities therefore need guidance to prevent similar problems (while recognising any relevant existing use rights)).
<b>GEN-14.1</b>	Adverse <i>effects</i> on the natural <i>environment</i> due to for example pollution, and the removal of the habitat of flora and fauna.

<b>GEN-14.2</b>	Smoke, dust, odours or fumes which have an adverse <i>effect</i> upon people’s health, neighbourhood amenities and the <i>environment</i> as a whole.
<b>GEN-14.3</b>	<i>Effects</i> on soil productivity, structure and stability through such activities as soil removal, covering with hard surfaces, and inappropriate cultivation. The <i>effects</i> are often gradual and cumulative.
<b>GEN-14.4</b>	<i>Effects</i> of development pressures upon other <i>natural and physical resources</i> , e.g. on town centres, the quality or availability of water, energy supplies, the safety and efficiency of roading systems, or the supply of minerals).
<b>GEN-14.5</b>	Overshadowing by <i>buildings</i> , shelter belts and trees. This can have <i>effects</i> on people’s use and enjoyment of adjoining land.
<b>GEN-14.6</b>	Pressure from newly established “sensitive” activities, such as residential uses, for established operations which have a level of perceived nuisance to be curtailed or closed down.
<b>GEN-14.7</b>	Visual Appearance – “eyesores”, such as piles of junk in the open, unfinished <i>building</i> projects or a profusion of <i>signs</i> and billboards.
<b>GEN-14.8</b>	Electrical interference to radios and televisions.
<b>GEN-14.9</b>	A loss of visual privacy, e.g. homes and outdoor living areas being “seen into” by neighbours and passers by.
<b>GEN-14.10</b>	Cultural Impacts, e.g. many people are reluctant to have a <i>funeral parlour</i> next to their home. These impacts can be difficult to deal with, particularly if more than one culture is involved.
<b>GEN-14.11</b>	Concerns about people’s personal safety and security, e.g. in using public places which are dimly lit, or from aircraft accidents near airports.
<b>GEN-14.12</b>	The potentially adverse <i>effects</i> on people’s health and safety and upon ecosystems from mishaps in the production, transport, use or disposal of hazardous substances.
<b>GEN-15</b>	Parts of the District have significant soil erosion problems and varied water quality is likewise a problem in some of our rivers and streams. These

	environmental impacts are related to the removal of the land’s natural vegetation cover.
<b>GEN-16</b>	The fragmentation of land holdings and new housing and other development which results from subdivision is having a cumulative impact upon the rural <i>environment</i> , including upon its rural character and amenities and upon the future options for use of the vulnerable versatile land. While each proposal may have minor <i>effects</i> on its own, the cumulative <i>effects</i> over time can be very significant.
<b>GEN-17</b>	The District is prone to natural hazards, especially flooding, and to associated property damage.
<b>GEN-18</b>	There are various limitations on the future growth of Feilding and the other townships, e.g. natural hazards, effluent disposal, and urban expansion also has a permanent impact on the rural character and natural <i>environment</i> of the growth areas concerned.
<b>GEN-19</b>	A balance needs to be struck between the degree of new services, reserves etc. which developers or new residents pay for, as opposed to those which existing residents and ratepayers pay for.
<b>GEN-110</b>	Public access to the coast and rivers, as well as recreational opportunities generally, need to be maintained and enhanced.
<b>GEN-111</b>	Water and energy use is often very wasteful, and more efficient use needs to be encouraged. Disposal of solid waste which cannot be re-used or recycled needs to be managed in a more sustainable way.
<b>GEN-112</b>	There are competing demands on the limited water supplies in the District, particularly the Oroua River. The river’s waters are taken by agricultural, urban and industrial users, and are used to dispose of treated wastes. These competing demands for a limited supply represent a constraint to current and prospective users and a potential threat to the river’s habitat values.
<b>GEN-113</b>	Issues which cross territorial or jurisdictional boundaries (e.g. management of the beach and coastal marine area, or land uses in one District which affect people in another) need to be resolved if integrated management of resources is to be achieved.
<b>GEN-114</b>	Manfeild Park is a unique, multi-purpose event facility for the District and requires management to enable a wide range of activities while avoiding adverse <i>effects</i> on the surrounding <i>environment</i> .

[DELETED PCI]

## Managing Land Use Effects

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

## General Objectives

Refer also: GRUZ-03, GRZ-02, SETZ-02, INF-01, INF-02

<b>GEN-01</b>	To recognise the potential adverse effects of activities upon the natural and physical environment, land and ecosystems and to avoid, remedy or mitigate these <i>effects</i> . <del>{GEN-14}</del> [DELETED PCI]
<b>GEN-02</b>	To protect present and future District residents from potential adverse effects of land uses upon their amenities and their health and safety. <del>{GEN-14}</del> [DELETED PCI]
<b>GEN-03</b>	To foster a climate where the District’s people can provide for their social and economic and cultural wellbeing and for their health and safety. <del>{GEN-11}</del> [DELETED PCI]
<b>GEN-04</b>	To recognise the need for the Tangata Whenua to be able to use their land and traditional resources according to their cultural heritage. <del>{GEN-12, HH-02, TW-01}</del> . [DELETED PCI]
<b>GEN-05</b>	To maintain and enhance the <i>amenity values</i> which make the District a pleasant place to live in and visit. <del>{GEN-13, GEN-14}</del> [PC65] [DELETED PCI]
<b>GEN-06</b>	To promote integrated management of land and water resources <del>{GEN-114}</del> [DELETED PCI]

## General Policies

<b>GEN-P1</b>	To ensure that adverse effects of land use and surface water activities on the natural <i>environment</i> , land, water and ecosystems are avoided, remedied or mitigated.
<b>GEN-P2</b>	To take potential impacts on future residents of an affected property into account when managing land use <i>effects</i> .
<b>GEN-P3</b>	To minimise the potential for conflict between new activities and lawfully existing activities.
<b>GEN-P4</b>	To provide opportunities for participation by the Tangata Whenua in making resource allocation and land use decisions, including setting conditions on land use consents where appropriate.
<b>GEN-P5</b>	To avoid, remedy or mitigate any adverse <i>effects</i> resulting from the activities of others upon resources or other taonga valued by the Tangata Whenua. (Refer also HH-O2 and INF-O6).
<b>GEN-P6</b>	To remove impediments which limit the ability of the Tangata Whenua to use their land or resources according to their cultural heritage.
<b>GEN-P7</b>	To minimise the nuisance caused by effluent on roads and roadsides. (Refer also GRUZ-O3, GRZ-O2, SETZ-O2)
<b>GEN-P8</b>	To ensure that suitably-zoned land is available, with the required infrastructure, to meet the locational and operating needs of new industries and other employers.
<b>GEN-P9</b>	Not to place any unnecessary barriers (e.g. “red tape”) in the way of new job opportunities.

# Consent Procedures

## 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. 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.

## Information Requirements for Resource Consent Applications and Designations

### Certificate of Compliance Applications

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*.

### 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, items listed in HH-SCHED1, HH-SCHED2 and TREE-SCHED1, *natural areas* or other places of special value to present and future generations. [PCH(a), PCH(b)]~~
  - ~~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.~~

## **Subdivision Consent Applications**

**Note:** 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.

- 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 and items listed in HH-SCHED1, HH-SCHED2 and TREE-SCHED1 identified by the Plan. [PCH(a), PCH(b)]~~
- ~~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 in SUB-APP3.~~
  - ~~b) An evaluation against the Subdivision Design Guide in SUB-APP5 demonstrating that the guiding principles have been providing for in the proposed subdivision.~~

## **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.~~

## **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 SUB-R11 applies or subdivisions which do not comply with SUB-ST24 due to a failure to meet GRUZ-ST4 in respect of separation from a *dwelling residential unit* or potential *dwelling residential unit* 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 *residential units*.~~
  - e. ~~Roading Impacts (General Rural zone).~~
  - f. ~~Provision of verandahs in the Town Centre zone.~~
  - g. ~~Street Frontage in the Town Centre and Mixed Use zones.~~
  - h. ~~Floor Area of *Buildings* (Flood Channel Zone).~~

~~iv) The application is for a *restricted discretionary activity* land use consent for clearance, modification, harvesting or removal of *indigenous vegetation* (GRUZ-R33, NH-R18).~~

~~**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.~~

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# Assessment of Applications

## Assessment of Discretionary (DIS) Activity Applications

### Assessment Criteria (AC)

In assessing *discretionary activities* Council will have regard to matters including the following:

<b>GEN-AC1</b>	Subject to Part II of <i>the Act</i> , the matters specified in Section 104 of <i>the Act</i> .
<b>GEN-AC2</b>	Compliance or otherwise with standards applying to similar <i>permitted</i> or <i>controlled activities</i> .
<b>GEN-AC3</b>	The environmental results sought by this Plan for the zones concerned.
<b>GEN-AC4</b>	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.
<b>GEN-AC5</b>	The degree to which proposed <i>buildings</i> would detract from the visual amenities of the area.
<b>GEN-AC6</b>	Vehicle crossings shall be assessed in terms of the sight distance and driveway spacing guidelines contained in Appendix TR APP3, and the seal widening and formation standards contained in TR APP3.
<b>GEN-AC7</b>	Whether there is sufficient and adequate provision for the collection or disposal of solid waste, including tailings.
<b>GEN-AC8</b>	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 <i>residential units</i> likely to be affected by such ponds.
<b>GEN-AC9</b>	Compliance or otherwise with any relevant NZ Standards, regulations or <i>Industry Guidelines</i> .
<b>GEN-AC10</b>	Any danger to people from hazardous goods and natural hazards, including any risk assessments, contingency plans and proposals to mitigate such hazards.
<b>GEN-AC11</b>	The potential possibility of any animals escaping on to adjoining properties, roads, or public places.

<b>GEN-AC12</b>	Whether any exterior lighting is to be used or installed which would tend to annoy people nearby.	
<b>GEN-AC13</b>	The effect of the proposal on the heritage values and preservation of any place or object listed in HH-APP1, HH-APP2, HH-SCHED1, HH-SCHED2, HH-SCHED3, HH-SCHED4, and items listed in TREE-SCHED1, or upon the heritage significance of any <i>natural area</i> in terms of the criteria in HH-APP3.	
<b>GEN-AC14</b>	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.	
<b>GEN-AC15</b>	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.	
<b>GEN-AC16</b>	For quarrying and gravel extraction:	
	<b>GEN-AC16.1</b>	The techniques to be used in the operation.
	<b>GEN-AC16.2</b>	The likely duration of the quarrying or extraction.
	<b>GEN-AC16.3</b>	Restoration and the ultimate use of the <i>site</i> .
	<b>GEN-AC16.4</b>	Adequate set-back and separation distances from roadways and adjoining uses, for visual amenity reasons and for noise attenuation.
<b>GEN-AC17</b>	The degree of separation proposed between any <i>building</i> or pen housing animals and any <i>building</i> , boundary or <i>road</i> . <i>Council</i> 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 <i>Industry Board's Code of Practice</i> shall be used as a guideline for assessing the adequacy of separation around any proposed <i>pig farming</i> operation.	
<b>GEN-AC18</b>	In relation to <i>service stations</i> :	
	<b>GEN-AC18.1</b>	The extent to which the proposal will be screened from adjacent residential uses by landscaping or fencing.

	<b>GEN-AC18.2</b>	The effect of any access points on traffic safety and efficiency.
	<b>GEN-AC18.3</b>	The extent to which lighting will be managed to avoid nuisance on residential properties.
	<b>GEN-AC18.4</b>	Whether vehicle manoeuvring can be accommodated on site.
	<b>GEN-AC18.5</b>	The extent to which signs comply with general controls in the zone concerned.
	<b>GEN-AC18.6</b>	The adequacy of proposals to collect and deal with potentially contaminated stormwater.
	<b>GEN-AC18.7</b>	The extent to which the proposal is likely to have an effect on the amenities sought by the objective for the zone concerned.
<b>GEN-AC19</b>	In relation to <i>industries</i> in the Commercial Zone:	
	<b>GEN-AC19.1</b>	The design and layout of any new <i>building</i> , and its ability to be refurbished for future commercial use.
<b>GEN-AC20</b>	In relation to additions or alterations to <i>buildings</i> within the Air Noise Area, the degree to which the adverse effects of aircraft noise will be mitigated through <i>building</i> construction methods to achieve a satisfactory internal noise environment.	
<b>GEN-AC21</b>	In relation to new <i>buildings</i> within the Inner Control Area or the Outer Control Area, the degree to which the adverse effects of aircraft noise will be mitigated through <i>building</i> construction methods which meet the following noise insulation ratings plus a 5dBA safety margin:	
	<b>GEN-AC21.1</b>	<i>Buildings</i> to which NOISE-SCHED1 applies—20 decibels
	<b>GEN-AC21.2</b>	<i>Buildings</i> to which NOISE-SCHED2 applies—25 decibels
	<b>GEN-AC21.3</b>	<i>Buildings</i> to which NOISE-SCHED3 applies—30 decibels
<b>GEN-AC22</b>	In relation to the rural subdivisions listed as a discretionary activity under SUB-R14:	
	<b>GEN-AC22.1</b>	The need to provide a degree of separation between future dwellings <i>residential units</i> by maintaining a minimum allotment size of around 4000m <sup>2</sup> .

	<b>GEN-AC22.2</b>	The need for such allotments to still meet the standards in SUB-ST22 to SUB-ST27.	
	<b>GEN-AC22.3</b>	The effect of the proposed subdivision on potential future urban growth, including the feasibility of future roading patterns.	
<b>GEN-AC23</b>	In relation to General Rural and Flood Channel Zone subdivisions in the coastal area under SUB-R14:		
	<b>GEN-AC23.1</b>	The potential for natural hazards, including sand inundation, erosion and the possibility of future sea level rise.	
	<b>GEN-AC23.2</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.	
	<b>GEN-AC23.3</b>	River control and drainage limitations, and the need to satisfactorily dispose of domestic effluent.	
	<b>GEN-AC23.4</b>	The need to still comply with the Plan’s averaging formula for rural allotments.	
<b>GEN-AC24</b>	In relation to access, where common access to eight or more dwellings <i>residential units</i> is to be provided, this access must be a new legal <i>road</i> , to be formed to <i>Council’s</i> standards.		
<b>GEN-AC25</b>	In relation to subdivisions within any of the <i>Growth Precincts</i> , that do not comply with the minimum lot size and/or minimum lot frontage standard in SUB-ST1:		
	<b>GEN-AC25.1</b>	The extent of non-compliance.	
	<b>GEN-AC25.2</b>	The design and outcome of the proposed residential block layout and local street network, including:	
		<b>GEN-AC25.2.a</b>	The recognition of the topographic and physical features of the <i>site</i> and surrounds;
<b>GEN-AC25.2.b</b>	The provision of open space including retirement of steep hillsides, gully systems, <i>esplanade reserves</i> and local purpose reserves;		

		<b>GEN-AC25.2.c</b>	The use of residential density that integrates into the landscape;
		<b>GEN-AC25.2.d</b>	The extent of through roads within the subdivision and linkages within the <i>Growth Precinct</i> ; and
		<b>GEN-AC25.2.e</b>	The level of accessibility for future lot owners.
		<b>GEN-AC25.3</b>	The character and amenity anticipated by the subdivision design using positive features of established <i>urban areas</i>
		<b>GEN-AC25.4</b>	The ability of larger lots (2,000m <sup>2</sup> and greater) to be further subdivided in the future to a size and form that creates good quality outcomes.
		<b>GEN-AC25.5</b>	The provision of infrastructure and roading networks, for the current and anticipated future demand, including future intensification if larger lots are created.

[DELETED PCI]

## District Rules

NB – Words outlined as Italicised type in the District Rules have a specific definition in the Definitions Chapter.

### Rules Applying Throughout the District

#### Temporary Activities

<b>GEN-R1</b>	<b>Definition:</b> For the purpose of this rule, “temporary activity” means any short-term use of land for the following purposes:	
	<b>GEN-R1.1</b>	Military training activities

#### Permitted Activities (PER)

**GEN-R2**

Temporary activities shall be *permitted activities* in all zones, provided that they comply with the standards GEN-ST1 below.

## Standards for Permitted Activities

**GEN-ST1**

Temporary *buildings* (including tents, mobile homes and prefabricated *buildings*) must:

**GEN-ST1.1**

be readily moveable and

**GEN-ST1.2**

meet any *yard* requirements of this Plan and

**GEN-ST1.3**

must be removed from the *site* within 6 months of the commencement of the activity and

**GEN-ST1.4**

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

## Discretionary Activities (DIS)

**GEN-R3**

Any *permitted activity* specified in GEN-R1 and GEN-R2 which does not comply with any of the relevant standards in GEN-ST1 above shall be a *discretionary activity*.

**Assessment Criteria:**

**GEN-AC26**

The matters set out in GEN-AC1 to GEN-AC25 will be taken into account in assessing applications for *discretionary activities*.

## District Rules to Prevail Over Bylaws

GEN-R4

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

### Explanation

#### General objectives and policies

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

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

GEN-O6 reflects the fact that integrated management is part of the function of District Councils under Section 31 of *the Act*. It means particularly that Regional and District Councils should work together to ensure that efforts are not duplicated and that there are no “gaps” between the resource management responsibilities of each. Some processes to address these “cross-boundary” issues are contained in the Cross-Boundary Matters chapter. Managing the *effects* of land use on water quality is an example. While safeguarding water quality is a *Regional Council* task, managing land use is primarily the District’s role. Riparian margins in particular, being at the interface of water and land, require an integrated management approach agreed between this *Council* and the *Regional Council*.

GEN-P2 recognises that “the foreseeable needs of future generations” are a part of sustainable management. If too many tall *buildings* or nuisances are allowed (each with its own neighbour’s consent at the time) the overall quality of the residential *environment* will suffer and the desired outcomes will not be achieved. The interests of future residents may therefore be relevant.

The Plan also deals with impacts which only relate to the *site* being developed, (i.e. which do not affect any neighbours or the *environment* in general), because of potential *effects* on future residents of that property.

GEN-P3 recognises that problems are often created where new activities which expect a high standard of amenity (such as residential ones) develop near previously established land uses with established *effects*. Over time the new land uses can create pressure for the quite legitimate existing ones to be closed down or for their operations to be severely limited. This phenomenon is sometimes called “*reverse sensitivity*”.

Policies GEN-P4 to GEN-P6 relate to *Council’s* duties under Part II of *the Act*, especially Section 8. As noted on page 1 of this chapter, when *Council* formulates Plans and makes planning decisions under *the Act*, the principles of the Treaty of Waitangi must be taken into account. Among the things which must be recognised and provided for as a matter of national importance is the “relationship of Māori and their culture and traditions with their ancestral lands, water, *sites*, Waahi tapu, and other taonga.” *Council* also has to have particular regard to Kaitiakitanga, which is defined as “the exercise of guardianship by the tangata whenua of an area in accordance with tikanga Māori in relation to *natural and physical resources*; and includes the ethic of stewardship.” This definition is recognised by Māori as being incomplete. The freedom of action implied by GEN-P6 is still of course limited by the overall aim of sustainable management.

GEN-P7 refers to spilt manure from stock trucks, to effluent holding tanks on campervans being emptied on the roadside, and to the *road* being used as a cattle race. These things create a nuisance for other *road* users, and manure can corrode the tarseal itself. Proper discharge points need to be available for trucks and campervans. It is inappropriate for this Plan to require stock trucks to have effluent holding tanks. This sort of regulation needs to be implemented at a national level. *Council* will lobby central government on this issue, and will encourage local/regional carrying firms to install tanks.

## **District Plan Methods**

- Rules in chapters GEN, ASW, GRZ, SETZ, GRUZ, COMZ, OSZ, NH, STADZ, SDZ

## **Other Methods**

- Assisting the Tangata Whenua with the issue of how best to achieve their projects and to secure access to the resources which they regard as important.
- Regular view of bylaws and other restrictions which may unnecessarily limit people.
- Lobbying Central Government.
- Working with local/regional cartage contractors, and farmers.

- Involvement in providing effluent discharge points.
- Manawatū District Bylaw 2002 (covering stock races).
- Assisting applicants to identify the appropriate Tangata Whenua contact people to consult with about their proposal.

## Environmental Results Anticipated

1. Tangata Whenua are satisfied that Māori land and resources are able to be used in accordance with Māori cultural preference, with any adverse environmental *effects* being addressed. (GEN-O4, TW-O1)
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. (GRUZ-O1)
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 GRUZ-O2).
4. Levels of complaint from rural residents about rural activities on other properties are low, and do not result in curtailment of those activities. (GRUZ-O3, GRUZ-O4).
5. Most residents of General Residential and Settlement zones are satisfied with the amenity of their neighbourhood and town as a place to live. (GRUZ-O2, SETZ-O1).
6. People regard Feilding's Town Centre, Mixed Use, and Commercial zones as an attractive place to do business. (COMZ-O6).
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 the historic character of the Heritage Precinct. (COMZ-O6).
8. Activities in Commercial, General Industrial and Open Space zones do not have a significant adverse *effect* upon the *environment* or upon residents in other zones. (COMZ-O7, OSZ-O1)
9. Subdivision, land use and development does not have a significant adverse *effect* upon the natural character or heritage value of the coastal area. (CE-O1).
10. No recurring complaints about noise from water craft, and minimal complaints from residents of sound insulated dwellings *residential unit* about aircraft noise at Palmerston North Airport. (ASW-O1, NOISE-O2)
11. Hazardous substance use, transport and storage is undertaken with adequate safety features, and no health problems related to contaminated *sites* are confirmed. (HS-O1).

12. ~~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.~~

## **Monitoring and Review Procedures**

The procedures to be used will include:

1. ~~“State of the *Environment*” reporting, including noise levels in the various zones.~~
2. ~~Obtaining feedback from the Marae Consultative Committee on District Plan issues associated with use of Māori land and resources.~~
3. ~~Assisting with research into the extent of soil compaction, contamination and removal in the District, including the influence of land use upon these factors.~~
4. ~~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.~~
5. ~~Liaising with the *Regional Council* in assessing any degradation to land and water resources as a result of activities provided for in the Plan.~~
6. ~~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.~~
7. ~~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.~~
8. ~~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.~~
9. ~~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.~~
10. ~~Independent audit by a conservation architect on new *buildings* constructed in central Feilding, for compatibility with the historic character of the Heritage Precinct.~~
11. ~~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.~~

- ~~12. 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.~~
- ~~13. Reporting on levels of service provided by arterial routes in the District.~~
- ~~14. 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.~~

[DELETED PCI]

## INTERPRETATION

# Definitions

These defined terms are *italicised* throughout the Plan.

**Note:** Some terms used in the District Plan have specific legislative definitions contained in Section 2 of the Resource Management Act 1991. Terms that are defined in the Resource Management Act 1991 are not included in this chapter.

## ACCESSORY BUILDING

means a building, that is secondary and incidental to any dwelling *residential unit* on the site and includes, without limitation:

- a. Aviaries
- b. Garages and carports
- c. Glasshouses
- d. Pump sheds
- e. Tool and garden sheds
- f. Water tanks

For the purposes of the Manfeild Park and Special Development Zones, accessory building means a building or structure which is detached from, and the use/operation of which is incidental to that of, any other principal building(s) on the same site. In relation to a site on which no principal building has been erected, is incidental to the use which may be permitted on the site. [PCI]

## ACT

means the Resource Management Act 1991, and its amendments.

**ADDITIONS AND ALTERATIONS**

means the change to a building, structure, or memorial that alters its size and/or volume or results in changes to the finishes or materials. Additions and alterations specifically exclude “maintenance and minor repair” and “seismic strengthening” as defined by this Plan.

**AGRICULTURAL VEHICLE SALES AND SERVICE**

means an activity involving the sales and/or service of farm vehicles or other heavy vehicles. [PC52]

**AMENITY VALUES**

means those natural or physical qualities and characteristics of an area that contribute to people’s appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes. The term “amenities” has a corresponding meaning.

**ANCILLARY ACTIVITIES**

means an activity that is located on the same site as the primary activity which is permitted on that site, is secondary and incidental to the primary activity and serves a supportive function to the primary activity.

For the purpose of the Stadium Zone and Special Development Zone, means an activity which is incidental to and associated with the primary activity undertaken in Manfeild Park and which has the sole purpose of providing a necessary service to enhance the overall functioning of Manfeild Park.

**ANTENNA**

means any radiocommunication and/or telecommunication apparatus used for transmission or reception, including the antenna mounting but not any mast or supporting structure. It includes any satellite dish.

**ASSISTED LIVING ACCOMMODATION**

means land and buildings used or designed to be used for supervised residential care and accommodation by 5 or more people (exclusive of the manager and the managers family) and includes, without limitation:

- a. Boarding Houses
- b. Nursing homes

**ATTACHMENT**

## c. [DELETED PC55]

means, in relation to heritage items listed in HH-SCHED2, part or all of any structure, pipe, equipment or cable that is externally fixed to the building or item to perform a particular function and includes, but is not limited to:

- Customer connections, relating to radio communication or telecommunication lines; wastewater or stormwater treatment or disposal; and/or water, gas or electricity
- Fire alarm panels
- Sprinkler inlets
- Air conditioning units
- Heat pumps
- Solar panels and solar water heaters
- Water heating systems [PCH(a)]

**AVIARIES**

means any building used for housing birds as a hobby, but does not include poultry keeping or intensive farming.

**BOARDING, BREEDING AND TRAINING KENNELS**

means the use of any land and/or buildings where board for a fee (which may include overnight or during the day) is provided or intended to be provided for dogs, or the breeding and/or training of dogs for direct or indirect commercial gain, and includes rehoming kennels. Farm working dogs and puppies up to three months of age, are excluded. [PC64]

**BOARDING HOUSE**

[DELETED PC46, now defined as Assisted Living Accommodation]

**BUILDING**

means any structure whether temporary or permanent, movable or immovable and specifically excludes:

- a. any deck or terrace, in whole or part, under 1.5m in height
- b. fences or walls under 1.8m in height
- c. deer fences or cattle yards
- d. retaining walls under 1.5m in height

- e. pools under 1m in height
- f. tents or marquees erected for less than 30 consecutive days
- g. satellite dishes less than 1m in diameter
- h. pergolas with a permanently open roof.

**BUILDING FOOTPRINT**

means the area of ground covered by a single building.

**COLLECTOR ROAD**

means roads that provide circulation in local areas and links to arterial roads, while balancing these needs with pedestrian and local amenity values. These roads provide access for all modes of transport including public transport. Typical traffic flows are between 3,000 and 10,000 vehicles per day. These include a number on 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. Refer to TR-APP1 for those roads that are identified in the District as being a Collector Road. [PC55]

**COLLECTOR ROAD (TOURIST)**

means those roads that currently carry traffic volumes below that of a Collector Road, but serve a similar function in that they link areas of population together. Refer to TR-APP1 for those roads that are identified in the District as being a Collector Road (Tourist). [PC55]

**COMMERCIAL ACTIVITY**

means, for the purposes of *Maewa (Growth Precinct 4)*, the use of land and buildings for the display, offering, provision, sale or hireage of goods, equipment or service including restaurants and retail shops and outlets, but excludes service stations and supermarkets. [PC51]

**COMMERCIAL SERVICES**

means land and buildings used to provide administrative, commercial or healthcare services and includes, without limitation:

- a. Commercial artists, signwriting, and engraving.

	<ul style="list-style-type: none"> <li>b. Dry-cleaning, laundries, dyeing and cleaning services.</li> <li>c. Hospitals</li> <li>d. Medical practitioners premises</li> <li>e. Offices</li> <li>f. Servicing and repair of household appliances and garden equipment, excluding vehicles.</li> </ul>
<b>COMMUNAL ACTIVITIES</b>	[DELETED PC46, now defined as Community Facilities]
<b>COMMUNITY EVENTS</b>	for the purposes of the Stadium Zone, means land and/or buildings used for public or private recreation, entertainment, meetings or social events.
<b>COMMUNITY FACILITIES</b>	means land and buildings used for public or community use and includes, without limitation: <ul style="list-style-type: none"> <li>a. Facilities for the operation of emergency services</li> <li>b. Places used for the gathering of people for recreation, worship, cultural and spiritual instruction</li> <li>c. Libraries</li> <li>d. Marae</li> <li>e. Public halls</li> </ul>
<b>CONTROLLED ACTIVITIES</b>	Are defined in Section 2 of the Act.
<b>COUNCIL</b>	means the Manawatū District Council or any Committee, Subcommittee, or person to whom the Council's powers, duties and discretions have been lawfully delegated.
<b>DAY CARE CENTRE</b>	[DELETED PC46, now defined as Education Facilities]
<b>DEFERRED RESIDENTIAL ZONING</b>	is the zoning that applies to land in the Growth Precinct Structure plans in SUB-APP3 as Deferred Residential Zoning Density 1 or Density 2. The existing General Rural Zone or Flood

	<p>Channel Zone provisions continue to apply to all subdivision and development of land zoned Deferred Residential until that zoning is uplifted in accordance with DEV2-R1. When the Deferred Residential Zone is uplifted in accordance with DEV2-R1, then the land becomes residentially zoned. Until such time as the Deferred Residential Zoning is uplifted, none of the subdivision rules applying to land within Growth Precinct will apply. Land will only be able to be treated as within a Growth Precinct when the Deferred Residential Zoning is uplifted. [PC45]</p>
<b>DERELICT VEHICLE</b>	<p>means any car or other vehicle which is not currently registered and/or not currently warranted, and which for the time being is unable to be driven under its own power. [PC39]</p>
<b>DIRECTIONAL SIGNS</b>	<p>means signs used to indicate parking areas, access and egress from a site, queuing lanes and maps.</p>
<b>DISCRETIONARY ACTIVITIES</b>	<p>Are defined in Section 2 of the Act.</p>
<b>DWELLING</b>	<p><del>means any building, whether permanent or temporary, that is occupied or intended to be occupied, in whole or in part, as a single residence. It includes any motor vehicle that is occupied on a permanent or long term (6 months or longer) basis. [DELETED PCI]</del></p>
<b>EARTHWORKS</b>	<p>means the removal, deposit or relocation of soil that results in alteration between the existing and finished ground level. This includes but is not limited to, soil movement associated with subdivision and site works as defined in the Building Act 2004.</p> <p>For the purposes of this Plan, earthworks excludes the following:</p> <ol style="list-style-type: none"> <li>a. Work associated with the forming, (unless within the National Grid Yard or within a site of Heritage Value) upgrade or maintenance of farm tracks.</li> </ol>

- b. Fences and fence lines, including their post holes, unless within the National Grid Yard
- c. Trenching and backfilling ancillary to the installation of network utilities and services (unless within a site of Heritage Value)
- d. The minor upgrading, replacement or maintenance of network utilities
- e. Cultivation, including harvesting and maintaining of crops
- f. Aggregate extraction, unless within the National Grid Yard [PC55]

**EARTHWORKS (in relation to the Notable Trees chapter)**

Means the alteration or disturbance of land, including by moving, removing, placing, blading, cutting, contouring, filling or excavation of earth (or any matter constituting the land including soil, clay, sand and rock); but excludes gardening, cultivation, and disturbance of land for the installation of posts without concrete [PCH(b)].

**EDUCATION FACILITIES**

means land or buildings used as a kindergarten, primary, intermediate or secondary school or tertiary institution and includes, without limitation:

- a. Day care centres/Kohanga Reo
- b. Home-schooling of more than two children not resident on the site
- c. Outdoor education centres
- d. Sports training establishments
- e. Work skills training centres

**EFFECT**

Are defined in Section 3 of the Act.

**ENTERTAINMENT FACILITIES**

means land and buildings used for recreation and entertainment and includes, without limitation:

- a. Cinemas and theatres
- b. Casino and electronic gaming facilities
- c. Function centres
- d. Gymnasiums
- e. Premises licensed under the Sale of Liquor Act (1989)
- f. Premises authorised by the Prostitution Reform Act (2003)
- g. Restaurants, cafés and other eating places

**ENTRANCE STRIP**

means a lot, a part of a lot, or a right of way, which provides access to a road for one or more sites.

**ENVIRONMENT**

Is defined in Section 2 of the Act.

**ESPLANADE RESERVE, and ESPLANADE STRIP**

Are defined in Section 2 of the Act.

**ESSENTIAL INFRASTRUCTURE**

means the Manawatū District Council reticulated sewage and reticulated water supply systems, stormwater systems, and gas, electrical power and telecommunication (including fibre) networks.[PC51]

**EXTERIOR 'A' WEIGHTED AIRCRAFT NOISE LEVELS**

used in any assessment of aircraft noise insulation shall be calculated using those 'A' weighted relative band levels as defined by Table G1 "Australian Standard AS 2021 – 1994 Acoustics – Aircraft noise intrusion – Building Siting and Construction"

**EXTERNAL SOUND INSULATION LEVEL (DnT,w + Ctr)**

means the standardised level difference (outdoor to indoor) and is a measure of the airborne sound insulation provided by the external building envelope (including windows, walls,

ceilings and floors where appropriate) described using  $D_{nT,w} + C_{tr}$  as defined in the following Standards:

ISO 717-1:1996 *Acoustics – Rating of Sound Insulation in Buildings & Building Elements* using spectrum No.2 (A-weighted traffic noise spectrum).

ISO 140-5:1998 *Acoustics - Measurement Of Sound Insulation in Buildings and of Building Elements - Part 5: Field Measurements Of Airborne Sound Insulation of Facade Elements and Facades.*

#### **FAMILY FLAT**

means a self-contained ~~dwelling~~ residential unit located on the same property and in the same ownership as the main ~~dwelling~~ residential unit and used or capable of being used for the accommodation of non-paying guests or family members who are dependent upon the occupiers of the main ~~dwelling~~ residential unit. [PC40] [PCI]

#### **FARM BUILDINGS**

means buildings used in connection with farming practices on the land concerned, such as hay barns, farm implement sheds, and greenhouses. It does not include buildings used for accommodation, milking sheds, pens housing animals, boarding, breeding and training kennels [PC64], or for intensive farming activities.

#### **FARMING**

means a land based activity, having as its main purpose the production of any livestock or vegetative matter except as excluded below. Farming includes:

- a. Grazing, cropping and the cultivation of land necessary and appropriate to normal agricultural and horticultural activity.
- b. Keeping farm working dogs and puppies.
- c. Keeping, raising or breeding pigs where the productive processes are not carried out within buildings, or not within closely fenced outdoor runs where the stocking

density precludes the maintenance of pasture or ground cover.

- d. Farming does not include:
- e. Intensive farming.
- f. Pig Farming.
- g. Planting, tending and harvesting forests, woodlots, specialised tree crops or shelter belts.
- h. Boarding, breeding and training kennels [PC64] or catteries.
- i. The processing of farm produce beyond cutting, cleaning, grading, chilling, freezing, packaging and storing produce grown on the farming unit.

NB – processing produce beyond that permitted as “farming” may come within the definition of Industry.

**FARMING AND AGRICULTURAL SUPPLIER**

For the purpose of the Special Development Zone, means a business primarily engaged in selling goods for consumption or use in the business operations of primary producers or animal husbandry and without limiting the generality of this term, includes:

- a. Equestrian and veterinary suppliers;
- b. Farming and horticultural equipment suppliers;
- c. Seed and grain merchants; and
- d. Stock and station outlets.

**FUNCTIONAL NEED**

means the need for a proposal or activity to traverse, locate or operate in a particular environment because the activity can only occur in that environment. [PC65]

**FUNERAL PARLOUR**

means land and buildings used for the purpose of directing or conducting funerals and includes, without limitation:

	<ul style="list-style-type: none"> <li>a. Mortuary facilities</li> <li>b. A place for holding funeral services</li> </ul>
<b>GARDEN CENTRES</b>	[DELETED PC46, now defined as Retail Sales]
<b>GREENFIELDS</b>	means land in the General Residential Zone or areas within the growth precinct structure plans in SUB-APP3 that has not previously been subdivided for urban purposes. [PC45]
<b>GROSS FLOOR AREA</b>	means the combined total area of all internal floor space of all buildings on a site and includes, without limitation: <ul style="list-style-type: none"> <li>a. Basement space.</li> <li>b. Elevator shafts and stairwells.</li> <li>c. Floor space in interior balconies and mezzanines.</li> </ul>
<b>GROWTH PRECINCT</b>	means the area identified in the Structure Plan Growth Precinct 1-3 in SUB-APP3. [PC45]
<b>HABITABLE ROOM</b>	A space used for activities normally associated with domestic living, but excludes any bathroom, laundry, toilet, pantry, walk-in wardrobe, corridor, hallway, lobby, clothes airing room or other space of a specialised nature occupied neither frequently nor for extended periods.
<b>HARDWARE SHOP</b>	[DELETED PC46, now defined as Retail Sales]
<b>HEIGHT</b>	in relation to any building, means the vertical distance between the ground level at any point and the highest part of the building immediately above that point.  Height measurements specifically exclude: <ul style="list-style-type: none"> <li>a. Antennas</li> <li>b. Chimneys</li> <li>c. Flagpoles</li> </ul>

**HIGH IMPACT  
INDUSTRIES**

- d. Lightning rods

[DELETED PC46, now defined as Industry]

**HOME OCCUPATION**

means an occupation, craft, profession or service carried out in a ~~dwelling~~ residential unit or an associated accessory building, by an occupant of that ~~dwelling~~ residential unit that meets all of the following: [PCI]

- a. Is incidental and secondary to the residential use of the property
- b. Is undertaken or operated by a member(s) of the household residing on the property where the home occupation occurs and can include up to a maximum of two (2) other persons who do not reside on the property
- c. Involves no exterior storage, display or other indication of the home occupation (other than advertising sign permitted by this Plan)
- d. Involves no visits, delivery or collection of goods, materials or wastes outside the hours of 7am to 8pm
- e. Does not result in significant adverse effects including noise, odour, traffic movements

The following activities are specifically excluded from home occupation:

- f. any industry
- g. any light industry
- h. catteries and boarding, breeding and training kennels [PC64]
- i. motor vehicle sales and servicing
- j. waste/recycling collection and storage.

**HOME OCCUPATION**

means, within *Maewa (Growth Precinct 4)*, an occupation, business, trade, craft or profession performed entirely within a dwelling residential unit or accessory building by a member of the household residing permanently on the property which occupation, business, trade, craft or profession is a secondary and lesser use of the property after the primary residential activities. Home occupation does not include any activity involving panel beating, spray painting, motor vehicle repair, heavy trade vehicles, manufacturing, industrial, light industrial, or the boarding, breeding or training of dogs, and catteries. [PC51] [PCI]

**HOMES FOR THE AGED**

[DELETED PC46, now defined as Assisted Living Accommodation]

**HOUSING FOR THE ELDERLY**

[DELETED PC46, now defined as Assisted Living Accommodation]

**INDIGENOUS FOREST**

includes any area of vegetation which has an actual or emerging dominance of naturally-occurring indigenous tree species which attain a diameter at breast height of at least 30 centimetres.

**INDIGENOUS VEGETATION**

means any naturally occurring association of indigenous plant species, and includes indigenous forest.

**INDUSTRY**

means the use of land or buildings for the purpose of manufacturing, fabricating, processing, repair, packaging, storage, collection, distribution including the wholesale or retail sale of goods manufactured or processed onsite and includes, without limitation:

- a. Animal and animal-product processing
- b. Abrasive blasting
- c. Cool stores and pack houses
- d. Engineering works

- e. Fibre-glassing
- f. Firewood processing and storage
- g. Grain drying and processing
- h. Landscaping storage and supplies
- i. Panel beating and spray painting
- j. Timber processing and treatment
- k. Transport depots
- l. Vehicle wrecking and scrap yards
- m. Waste material collection, processing and disposal including refuse transfer stations and recycling depot/resource recovery centre activities (excluding the day-to-day removal of refuse, by Council or an authorised contracting agency) [PC52]

**INFILL**

means the subdivision of land previously subdivided for urban purposes.

**INFRASTRUCTURE OF REGIONAL AND NATIONAL IMPORTANCE**

in relation to network utilities, has the same meaning as the infrastructure of regional and national importance listed in Policy 3-1 of the Manawatū-Wanganui Regional Council One Plan. [PC55]

**INTENSIVE FARMING**

means the breeding or rearing of animals (including birds) where the productive processes are carried out year-round within buildings, or within closely fenced outdoor runs where the stocking density precludes the maintenance of pasture or ground cover. Intensive farming includes mushroom farming but does not include catteries, pig farming, boarding, breeding and training kennels [PC64] or aviaries.

**KENNELS**

[DELETED PC64, now defined as Boarding, Breeding and Training Kennels]

<b>LANDFILL</b>	means a site used for disposal of solid waste onto land, and includes all ancillary activities associated with the operation of a landfill.
<b>LANDSCAPE STRIP</b>	means in relation to the General Industrial Zone, a strip of land to be planted in accordance with GIZ-APP1 to improve visual amenity of the surrounding area rather than to screen activities on the subject site from view beyond the site. [PC52]
<b>LARGE FORMAT RETAIL</b>	means retail activity with a gross floor area of greater than 2000m <sup>2</sup> .
<b>LATERAL SPREAD OVERLAY</b>	means an area identified on the District Planning Maps, for which planning controls are applied to ensure foundations for new development can tolerate deflections imposed by liquefaction-induced ground subsidence. Sites within the Overlay were identified in the Feilding Liquefaction Study, 2013, as being moderately susceptible to liquefaction. The risks of liquefaction identified in that report do not preclude development. [PC52]
<b>LEGAL COVENANT</b>	means a covenant with Council under the Reserves Act 1977, an Open Space covenant with the QEII National Trust, or a covenant with the Department of Conservation under the Conservation Act 1987.
<b>LIGHT INDUSTRY</b>	<p>means the use of land or buildings for small-scale local industries including, without limitation:</p> <ol style="list-style-type: none"> <li>a. Cabinet making, furniture manufacture and restoration and upholstery</li> <li>b. Depots for trades people such as painters, plumbers, builders, glaziers or electricians</li> <li>c. Hire of vehicles and general equipment</li> <li>d. Printing and packaging</li> <li>e. Relocated building storage and repair yards</li> </ol>

f. Storage and warehousing.

#### LIVING COURT

means a landscaped and planted area which is required by this Plan to be unoccupied and unobstructed from the ground upwards, and which is adjacent to the main living area of the dwelling *residential unit*. [PCI]

Structures which will enhance the use and enjoyment of the court and special modifications to houses to suit the needs of those with disabilities (e.g. ramps) will be permitted.

#### LOCAL ROAD

means roads that provide access and connectivity within a local area. Local roads in urban areas typically carry up to 3,000 vehicles per day, have low vehicle speeds, have two lanes and provide for on-street parking, property access and pedestrian needs. Local roads in rural areas typically carry less than 1,000 vehicles per day. [PC55]

#### LUNCHBARS AND DAIRIES

for the purposes of the General Industrial Zone, means any food outlet which is intended to provide for the day to day needs of workers in the surrounding General Industrial Zone. Such facilities may be retail activities, secondary to the principal use of the site for industrial activities, or exist in their own right but must not exceed 100m<sup>2</sup> gross floor area. [PC55]

#### MAEWA (GROWTH PRECINCT 4)

means the area of Feilding as shown in the *Maewa (Growth Precinct 4) Structure Plan Map* in SUB-APP1. [PC51]

#### MAIN LIVING AREA

means either a living room, dining room or rumpus room.

#### MAINTENANCE AND MINOR REPAIR

in relation to significant historic built heritage, means the repair of materials by patching, piecing in, splicing and consolidating existing materials. It includes replacement of minor components such as individual bricks, cut-stone, timber sections, tiles and slates where these have been damaged beyond reasonable repair or are missing.

Original replacement material should be sourced where possible otherwise, the replacement must be of the same or similar material, colour, texture, form and design as the original

	it replaces. The number of components replaced must be substantially less than existing.
<b>MAJOR ARTERIAL ROAD</b>	means roads of strategic importance to the Region. They provide interconnections between areas within the District and distribute traffic from major intercity links. Access is generally at grade but may be limited. Urban traffic volumes are typically greater than 20,000 vehicles per day and rural 5,000 vehicles per day with a significant number of heavy vehicles. Typical urban operating speeds are 50 to 70km/h and rural 80 to 100km/h. Major Arterial Routes are State Highways 54, 56, Milson Line, Saddle Road and Camerons Line. Refer to TR-APP1 for those roads that are identified in the District as being a Major Arterial Road. [PC55]
<b>MĀORI LAND</b>	has the meaning set out in the Te Ture Whenua Act 1993.
<b>MAST</b>	means any pole, tower, or similar structure designed to carry antennas to facilitate radiocommunication and/or telecommunication. It excludes equipment attached to any mast to conduct lightning.
<b>MILITARY EXERCISES</b>	for the purposes of the Stadium <i>Zone</i> , means military training activities which are temporary in nature and are restricted to orienteering exercises, communications training, tactical exercises, escape and evasion exercises which are undertaken by the New Zealand Defence Forces provided that these activities do not involve the discharge of explosives, guns or other weapons or the use of explosive simulators.
<b>MILKING SHED</b>	means buildings used in the process of collecting milk from animals.
<b>MINOR ARTERIAL ROAD</b>	means roads that provide access between Collector and Major Arterial Roads. These roads have a dominant through vehicular movement and carry the major public transport routes. Access to property may be restricted and rear servicing facilities may be required. Urban traffic volumes are typically 8,000 to 20,000 vehicles per day and rural from 1,000 to 5,000 vehicles per day

**MINOR UPGRADING**

with a higher proportion of heavy vehicles. Typical urban operating speeds are 40 to 60km/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-Managaweka routes. Refer to TR-APP1 for those roads that are identified in the District as being a Minor Arterial Road. [PC55]

in relation to network utilities means increasing the carrying capacity or efficiency of an existing utility while the effects of that utility remain the same or similar in character, intensity and scale. Minor upgrading shall not include an increase in the voltage of an electricity line unless the line was originally constructed to operate at the higher voltage but has been operating at a reduced voltage. Examples of minor upgrading may include:

- a. Adding circuits and conductors to electricity and telecommunication lines.
- b. Reconductoring lines with higher capacity conductors.
- c. Resagging conductors.
- d. Bonding of conductors
- e. Adding longer or more efficient insulators.
- f. Adding earthwires to electricity lines, which may contain telecommunication lines, earthpeaks and lightning rods.
- g. Adding electrical or telecommunication fittings.
- h. Replacement of cross arms with cross arms of an alternative design.
- i. Relocation and replacement of support structures, such as poles supporting electricity and telecommunication lines up to 3m from the original

location and in case of the National Grid, relocation and replacement of support structures up to 5m.

- j. An increase in support structure height required to achieve compliance with NZECP34-2001.
- k. In the case of the National Grid and electricity distribution lines, an increase by not more than 15% of the base height of the support structure where the base height is defined as the height of the structure established as at January 2010. [PC55]

### **MOTOR CARAVAN SITES**

means the parking of up to two self-contained motor caravans /campervans/caravans for a period of up to two days.

### **MOTOR SPORT ACTIVITIES**

Means an event involving an automobile or motorbike which has a competitive nature or is given a competitive nature by the publication of results and includes:

- a. A race including any practice session
- b. A rally
- c. A club sport event
- d. A trial (navigational, sporting or regularity)
- e. A sprint
- f. A rally cross, which is a motor sport for cars run on an approved circuit at least 800 metres long, of which one quarter and not more than one half of the track must be sealed
- g. A rally sprint
- h. A motorkhana, which is a motorsport event for cars that is a test primarily of driver skill (rather than outright speed) in which competitors negotiate a precise course defined by flags or cones
- i. A record attempt

	<ul style="list-style-type: none"> <li>j. An economy run or</li> <li>k. An autocross, which is a motorsport event for cars on a marked out course on an unsealed or sealed surface.</li> </ul>
<b>MOTOR VEHICLE</b>	has the same meaning as defined in the Land Transport Act (1998).
<b>MOTOR VEHICLE SALES AND SERVICING</b>	<p>means any of the following:</p> <ul style="list-style-type: none"> <li>a. The sale, servicing, hire or lease of caravans, farm vehicles, farm machinery, motor vehicles, trailers, or trailer boats</li> <li>b. The sale of spare parts for caravans, farm vehicles, farm machinery, motor vehicles, trailers, or trailer boats</li> </ul>
<b>MULTI-UNIT RESIDENTIAL DEVELOPMENT</b>	means two or more self-contained <del>dwelling</del> <i>residential units</i> that are located on one site. A multi-unit residential development includes but is not limited to apartment buildings and terrace housing. [PC51] [PCI]
<b>NATIONAL GRID</b>	means the assets used or owned by Transpower NZ Limited. [PC45]
<b>NATIONAL GRID CORRIDOR</b>	<p>means the area measured either side of the centreline of above ground National Grid lines (see definition of National Grid Yard) as follows:</p> <ul style="list-style-type: none"> <li>a. 14m for 110kv lines on single poles</li> <li>b. 32m for 110kv lines on towers</li> <li>c. 37m for 220kv lines on towers</li> </ul> <p>Note: the National Grid Corridor and Yard setbacks do not apply to underground cables or any transmission lines (or sections of lines) that are designated. [PC55]</p>

**NATIONAL GRID  
TRANSMISSION LINE**

means:

- a. Facilities and structures used for, or associated with, the overhead or underground transmission of electricity in the National Grid; and
- b. Includes transmission line support structures, telecommunication cables, and telecommunication devices to which paragraph (a) applies; but
- c. Does not include any electricity substation. [PC65]

**NATIONAL GRID YARD**

means:

- a. The area located 12m in any direction from the outer edge of a National Grid support structure; and
- b. The area located 10m either side of the centreline of an overhead 110kv National Grid line on single poles; or
- c. The area located 12m either side of the centreline of any overhead National Grid line on towers. [PC55]

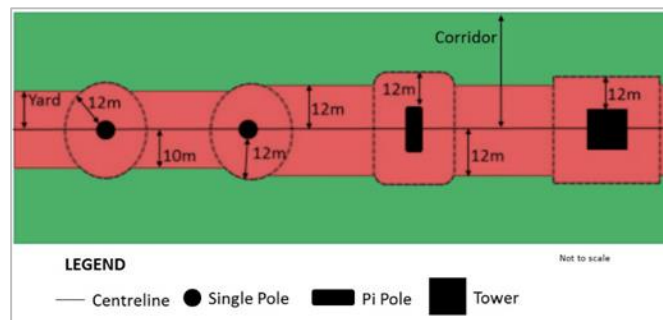


Figure 2 – National grid yard area

**NATURAL AND PHYSICAL  
RESOURCES**

Are defined in Section 2 of the Act.

**NATURAL AREA**

means any wetland, lake or river and its margin, any area of indigenous vegetation, or any other outstanding natural feature.

**NET SITE AREA**

means the total area of the site, less any area of the site used as an entrance strip.

**NETWORK UTILITY**

Means an activity or operation of a network utility operator (as defined under section 166 of the Resource Management Act) and also includes those facilities which provide an essential service to the public including:

- a. Telecommunications
- b. Radiocommunications
- c. Transformation, transmission or distribution of electricity
- d. Distribution or transmission or pipeline of gas or petroleum
- e. Water supply (including treatment)
- f. Sewerage reticulation
- g. Sewage treatment and disposal
- h. Drainage and stormwater control or irrigation systems
- i. Roads
- j. Railway
- k. Fire stations
- l. Airports
- m. Navigational aids
- n. Meteorological facilities
- o. Solid waste facilities, and
- p. RNZAF Base Ohakea [PC55]

**NODAL AREA**

means any land within the Feilding, Rangiwahia or Hiwinui subdivision nodes identified in SUB-APP4 and any land within 1km of any of the following places:

- a. Colyton School
- b. Taikorea Hall
- c. Glen Oroua School
- d. Apiti Settlement Zone boundary
- e. Utuwai School
- f. Pohangina Hall
- g. Rongotea Settlement Zone boundary
- h. Bunnythorpe Settlement Zone boundary
- i. Cheltenham Settlement Zone boundary
- j. Sanson Settlement Zone boundary
- k. Kimbolton Settlement Zone boundary
- l. Halcombe Settlement Zone boundary
- m. Waituna West School

**NOISE SENSITIVE  
ACTIVITY**

means any of the following:

- a. Assisted living accommodation
- b. Community facilities
- c. ~~Dwelling~~ residential unit and other residential activities [PCI]
- d. Education facilities
- e. Visitor Accommodation
- f. Hospitals. [PC55]

**NON-COMPLYING ACTIVITIES**

Are defined in Section 2 of the Act.

**NON-CONTRIBUTING PARTS OF HERITAGE BUILDINGS**

means parts of heritage items that make little or no contribution to, or detract from, the heritage values for which the heritage item has been listed in HH-SCHED2. [PCH(a)]

**NORTHERLY BOUNDARY**

in relation to a site means any boundary which has part of that site abutting to the south of it, and which is oriented between 90 degrees and 135 degrees, or between 225 degrees and 270 degrees, in relation to true north. (Examples below):

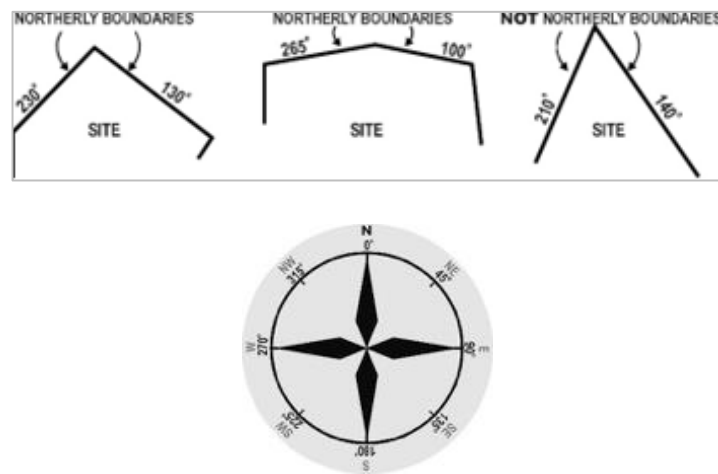


Figure 3 – Examples of northerly boundaries

**OFFICES**

for the purpose of the Special Development Zone, means an activity which involves the use of land or buildings for administrative or professional activity that is ancillary to activities occurring at Manfeild Park.

**OFFICIAL SIGN**

means any regulatory traffic and official signs approved by Council or provided under any legislation. [PC55]

**OPERATIONAL NEED**

means the need for a proposal or activity to traverse, locate or operate in a particular environment because of technical, logistical or operational characteristics or constraints. [PC65]

**OUTLINE PLAN**

means an outline plan showing a public work, project, or work to be constructed on designated land, submitted to Council

	under Section 176A of the Act to allow Council to request changes before construction is commenced.
<b>PANTRY SHOP</b>	[DELETED PC46, now defined as Retail Sales]
<b>PB40</b>	<p>refers to the typical horticultural sector method for describing plant size at time of planting. PB stands for Pint Bags. These are typically high quality UV stabilised black plastic Planter Bags otherwise known as Planter Bags.</p> <p>1 pint = 600ml. As a rough guide, multiply the PB number by 0.6 to get the volume in litres of the bag. A planter bag required to be PB40 should measure approximately 230 x 230 x 460 x 125mu and comprise a volume of approximately 18-25 litres. [PC52]</p>
<b>PENS HOUSING ANIMALS</b>	means land and buildings used for the housing, whether temporary or permanent, of animals. It includes feed pads whether covered or uncovered, yards used for holding and sorting animals and facilities used for animal rearing such as calf sheds.
<b>PERMEABLE SURFACE</b>	<p>means any part of a site which is grassed or planted in trees or shrubs and/or is capable of absorbing water or is covered by decks which allow water to drain through to a permeable surface. It does not include any area which:</p> <ol style="list-style-type: none"> <li>a. falls within the definition of site coverage except for decks as above</li> <li>b. is occupied by swimming pools; or</li> <li>c. consists of an impermeable paved, concreted or asphalted with a continuous surface. [PC51]</li> </ol>
<b>PERMITTED ACTIVITIES</b>	Are defined in Section 2 of the Act.
<b>PIG FARMING</b>	means keeping, raising or breeding pigs, where the productive processes are carried out within buildings, or within closely

	fenced outdoor runs where the stocking density precludes the maintenance of pasture or ground cover.
<b>PLACE OF ASSEMBLY</b>	[DELETED PC46, now defined as Community Facilities]
<b>PLANNED DEVELOPMENT</b>	means network utility infrastructure that is the subject of a lodged or granted application for certificate of compliance or resource consent, or a notice of requirement, or a confirmed designation. [PC55]
<b>PLANT PESTS</b>	mean any plants listed as Total Control, Boundary Control, Aquatic or National Surveillance Plant pests by the Regional Council.
<b>POULTRY KEEPING</b>	includes geese, ducks, chickens, turkeys and domestic fowls of all descriptions, except as defined as Intensive Farming.
<b>RADIOCOMMUNICATION</b>	means a transmission, emission, or reception of signs, signals, writing, images, sounds, or intelligence of any nature by electromagnetic waves of frequencies between 9 kilohertz and 3,000 gigahertz, propagated in space without artificial guide.
<b>RADIOCOMMUNICATION AND/OR TELECOMMUNICATION FACILITIES</b>	includes any line, mast, pole, aerial, tower, antenna, antenna dish, fixed radio station, radio apparatus or other structure, facility or apparatus intended for, associated with, or ancillary to, effecting radiocommunication or telecommunication.
<b>RECREATION ACTIVITIES</b>	means land and buildings used by the public for active and passive recreation activities and includes structures and landscaping required to enable the following: <ul style="list-style-type: none"> <li>a. Clubrooms and halls</li> <li>b. Grandstands and stadia</li> <li>c. Public Toilets</li> <li>d. Playgrounds</li> <li>e. Sealed courts and turf</li> </ul>

	<ul style="list-style-type: none"> <li>f. Sports fields</li> <li>g. Swimming pools</li> </ul>
<b>REGIONAL COUNCIL</b>	means Horizons Regional Council, which is the trading name of Manawatū-Wanganui Regional Council.
<b>RELOCATED BUILDING</b>	means any second-hand building which is transported in whole or in parts and relocated from its original site to its final destination site, but excludes a pre-fabricated building which is delivered dismantled to a site, for erection on that site. [PC55]
<b>REPLACEMENT</b>	For the purpose of network utilities, means putting new components in place of existing components where the network utility infrastructure remains the same or similar in character, intensity and scale as what was originally in that location. [PC55]
<b>RESIDENTIAL ACCOMMODATION</b>	[DELETED PC46, now defined as <u>Dwelling residential unit</u> ] [PCI]
<b>RESIDENTIAL ACTIVITY</b>	means the use of land and building(s) for peoples living accommodation. [PC51]
<b>RESIDENTIAL CARE HOMES</b>	[DELETED PC46, now defined as Assisted Living Accommodation]
<b>RESIDENTIAL UNIT</b>	means a building(s) or part of a building that is used for residential activity exclusively by one household, and must include sleeping, cooking, bathing and toilet facilities. [PC51]
<b>RESTAURANT</b>	[DELETED PC46, now defined as Entertainment Facilities]
<b>RESTRICTED DISCRETIONARY ACTIVITIES</b>	Are defined in Section 2 of the Act.

**RETAIL ACTIVITIES**

means the use of land or buildings where goods, equipment or services are sold, displayed, hired or offered for sale or direct hire to the public and includes, without limitation:

- a. Bakeries
- b. Dairies
- c. Garden centres
- d. Hardware stores
- e. The following are specifically excluded from retail activities:
  - f. Commercial Services
  - g. Industry
  - h. Large format retail
  - i. Motor vehicle sales and servicing
  - j. Service stations
  - k. Supermarkets

**RETIREMENT VILLAGE**

means a comprehensive development which may include housing, recreational, welfare, and medical facilities which is intended principally or solely for retired persons or people with disabilities. [PC51]

**REVERSE SENSITIVITY**

means the potential for the operation of an existing lawfully established activity to be constrained or curtailed by the more recent establishment of other activities, which are sensitive to the adverse environmental effects being generated by the pre-existing activity. [PC52]

**ROAD**

has the same meaning as Section 315 of the Local Government Act (1974).

<b>ROOT PROTECTION AREA</b>	The Root Protection Area is a circle taken from the centre of the trunk with a radius equal to 12 times the diameter of the trunk measured at 140cm height. Note that the maximum Root Protection Area radius should be no greater than 15m and no less than 2m. [PCH(b)]
<b>RURAL AND ANIMAL SERVICES</b>	means land and buildings used for the provision of sales and services associated with the rural sector and includes, without limitation: <ul style="list-style-type: none"> <li>a. Animal grooming</li> <li>b. Farming, agricultural and horticultural supplies</li> <li>c. Veterinary clinics</li> </ul>
<b>RURAL INDUSTRY</b>	[DELETED PC46, now defined as Industry]
<b>SCHEDULE P</b>	is a schedule of materials and general construction techniques for building elements that, for the purposes of this Plan are deemed to reduce the exterior 'A' weighted aircraft noise levels by 20 decibels with respect to the interior 'A' weighted sound levels. (NOISE-SCHED1)
<b>SCHEDULE Q</b>	is a schedule of materials and general construction techniques for building elements that, for the purposes of this Plan are deemed to reduce the exterior 'A' weighted aircraft noise levels by 25 decibels with respect to the interior 'A' weighted sound levels. (NOISE-SCHED2)
<b>SCHEDULE R</b>	is a schedule of materials and general construction techniques for building elements that, for the purposes of this Plan are deemed to reduce the exterior 'A' weighted aircraft noise levels by 30 decibels with respect to the interior 'A' weighted sound levels. (NOISE-SCHED3)
<b>SCREEN PLANTING AREA</b>	means in relation to the General Industrial <i>Zone</i> , an area required to be planted in accordance with GIZ-APP1, to screen

**SEISMIC  
STRENGTHENING**

activities on the subject site as far as practicable, from view from the adjacent road or non-industrial zone land. [PC52]

means works undertaken to improve the structural performance of a building by modifying, or adding to, the structure of a building to meet the requirements of the Building Act (2004), any subsequent amendments to that Act and any current Council Earthquake-Prone building policy.

Works that are deemed seismic strengthening shall be identified by a chartered professional engineer who has knowledge of the structural characteristics and earthquake performance of the type of building being assessed.

**SENSITIVE ACTIVITIES**

has the same meaning as Noise Sensitive Activity defined earlier in this chapter. [PC55]

**SERVICE COURT**

means an area of land which is required by the Plan for the provision of servicing facilities to each ~~dwelling~~ residential unit. Special modifications to houses to suit the needs of those with disabilities (e.g. ramps) are permitted in this area.

**SERVICE STATION**

means a business engaged in refuelling and servicing motor vehicles, selling petroleum products and accessories for motor vehicles (including convenience goods for motorists) and may include the cleaning and mechanical repair of motor vehicles and the repair of domestic equipment.

The following activities are specifically excluded from service station:

- a. panel-beating
- b. spray painting
- c. heavy engineering such as engine re-boring and crankshaft grinding.

<b>SHOP</b>	[DELETED PC46, now defined as Retail Sales]
<b>SIGN</b>	means any advertising matter used to give information on a product, service, event or location. It includes the frame, supporting device and any associated ancillary equipment where the principal function is to support the advertising matter. Any advertising material located within shop window displays in the Town Centre and Mixed Use Zones and the Special Development Zone are excluded. [PC55]
<b>SIGN FACE AREA</b>	means the measurement of the area covered by advertising matter and does not include the area of the support device. [PC55]
<b>SIGNIFICANT HISTORIC BUILT HERITAGE</b>	means any building (identified as Category A or B), or memorial, or object that is listed in a schedule in the District Plan due to its historic heritage value.
<b>SITE</b>	means an area of land capable of being disposed of separately.
<b>SITE COVERAGE</b>	<p>means that portion of the net site area, expressed as a percentage, which may be covered by buildings, including eaves, balconies and verandahs in excess of 0.6m wide.</p> <p>The following are not included in the calculation of site coverage:</p> <ol style="list-style-type: none"> <li>a. Eaves, balconies and verandahs less than 0.6m wide.</li> <li>b. Pergolas and other similar open structures.</li> <li>c. Conservatories encroaching into any living court required by this Plan.</li> <li>d. Outdoor swimming pools.</li> <li>e. Special modifications to houses to suit the needs of those with disabilities, e.g. ramps.</li> </ol>

**SOUND TRANSMISSION  
PATH**

means any possible sound path from outside the building to inside the room concerned but where the building construction option is both part of the outside envelope of the building and also part of the room itself.

**SPECIAL EVENT**

For the purpose of noise standards in the Stadium *Zone*, means an event that is not a motorsport activity taking place at the Motorsport Park and circuit (that are 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 STADZ:ST7.

**SPECIALIST SERVICES**

[DELETED PC46, now defined as Commercial Services]

**STORMWATER  
NEUTRALITY**

means post development runoff that equals the pre development runoff; so despite an increase in hard surfaces from roads, roofs and other impervious surfaces associated with development, the design of the subdivision enables runoff to be managed on-site (individual properties) and within the boundary of the subdivision using swales on roads for conveyance and detention ponds. [PC45]

**STREET FURNITURE**

means any structures and equipment lawfully located on or over the legal road reserve. It includes public telephones, litter bins, (not skip bins), street lighting, bus shelters, roadside rest areas and toilets, information centres and weigh stations, street trees and landscaping.

**STREET USER**

means any street stall, street appeal, busker, preacher, parade, or public gathering, pamphlet distributor, street photographer, or mobile shop, operating in a public place. NB – Such operations require Council’s permission under the District Bylaws.

**STREETSCAPE**

means the visual elements, within and adjoining the street, including the road, structures, trees and open spaces and adjoining buildings that combine to form the street’s character.

**SUPERMARKET**

means any premises that are principally used for the retail sale of groceries and other associated food and drink items and household goods and that has a retail floor area of over 300 square metres.

**TELECOMMUNICATION**

means the conveyance from one device to another of any signal, sign, impulse, writing, image, sound, instruction, information or intelligence of any nature, whether for the information of any person using the device or not.

**TEMPORARY ACTIVITIES**

means any short term activity that does not occur more than four times a year on the same site and any buildings and structures associated with that activity and includes, but is not limited to:

- a. Sporting events, public meetings, galas, market days, and recreational and festive events
- b. Temporary buildings and structures
- c. Any temporary storage of goods for materials
- d. Demolition and removal of buildings. [PC55]

**TEMPORARY SIGN**

means any sign that is of a temporary nature advertising any forthcoming activity. It includes, without limitation:

- a. Any parliamentary or local authority election signs
- b. Construction or development signage on any building or demolition site
- c. Exhibition or event signage
- d. Real estate signs advertising the sale, rent or auction of land or premises

Temporary signs do not include a permanent structure whereby the advertising matter is altered regularly. [PC55]

**TOURIST FACILITIES**

means land and buildings used for the education and entertainment of domestic or international tourists.

**TRAVELLERS' ACCOMMODATION**

[DELETED PC46, now defined as Visitor Accommodation]

**UNFORMED ROAD**

means any road below full metalled road standard, i.e. any road without proper base-course and top-course layers which are able to be graded.

**URBAN AREA**

means any land zoned General Residential, Settlement, Town Centre or Mixed Use, General Industrial, Open Space, Stadium or Special Development. [PC55]

**VISITOR ACCOMMODATION**

means places used for accommodating tourists and residents away from their normal place of residence and includes any ancillary service or amenity provided on the site such as a restaurant, café or other eating place, swimming pool or playground.

It includes, without limitation, any of the following:

- a. Hotels
- b. Motels
- c. Motor camps, camping grounds and caravan parks
- d. Self-catering accommodation
- e. Tourist lodges, backpackers

**WETLAND**

includes permanently or intermittently wet areas, shallow water, and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions. Wetlands do not include artificially created wetlands or areas of rushes within wet pasture.

**WORK SKILLS TRAINING  
CENTRE**

means an educational facility, which teaches any NZQA accredited course to develop or enhance basic or technical skills including apprenticeships associated with trade, industrial or commercial activities. [PC52]

**YARD**

means a part of a site that is unoccupied and unobstructed by buildings from the ground upwards, except as otherwise provided by this Plan. The width must be measured in the horizontal plane.

Front Yard means a yard between the road boundary and a line parallel thereto and extending across the full width of the site. Where the planning maps show a proposed road, the proposed road line shall be a road boundary for the purposes of front yard requirements.

Rear Yard means a yard bounded by the rear boundary of the site and a line parallel thereto and extending across the full width of the site.

A rear yard in respect of any rear site means a continuous yard bounded by all the boundaries of the site. Corner sites do not have rear yards.

Side Yard means a yard which except for any portion of the site comprised in a front or rear yard lies between the full length of a side boundary and a line parallel thereto. In respect of a corner site every boundary not being a road frontage shall be a side boundary.

The location of front, rear and side yards is shown in Figure 4 below.

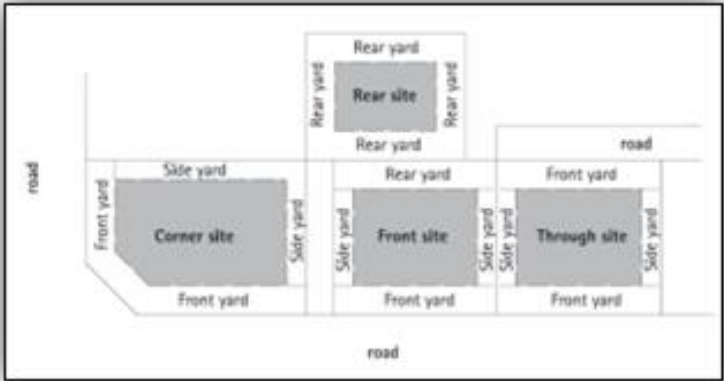


Figure 4 – the location of front, rear and side yards.

**ZONE**

means an area identified on the District Planning Maps, for which the District Plan specifies rules and standards for development.

## TANGATA WHENUA

# TW – Tangata Whenua

## Objectives

Refer also: GEN-O1 and GEN-O4

TW-O1	To ensure that <i>Māori land</i> can be used in accordance with Māori cultural preference, as long as any adverse environmental <i>effects</i> are addressed.
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## Policies

TW-P1	To recognise the importance of existing marae, to provide for their further development, and to provide for new marae to be established if appropriate.
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TW-P2	To ensure that any adverse <i>effects</i> arising from such development, including effluent disposal and traffic safety problems, are avoided, mitigated or remedied.
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TW-P3	To recognise the need for multiple <del>dwellings</del> <u>residential units</u> to be built on areas of <i>Māori land</i> , at an appropriate density for <del>dwellings</del> <u>residential units</u> unconnected to a sewerage scheme. [PCI]
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## 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 whānau members who wish to live on *Māori land* close to the marae to which they belong. (Whether specific parcels are “*Māori land*” is clearly defined

by the Te Ture Whenua (*Māori Land*) Act 1993 and by the Māori Land Court). New marae may also be established if appropriate.

Proposals to build more than one house on partitioned areas of *Māori 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.

## Methods

### District Plan Methods

- Rules in chapters: General Residential Zone, Settlement Zone, General Rural Zone, Commercial Zone, Open Space Zone, Natural Hazards, Manfeild Park Zone, Special Development Zone

### Other Methods

- Heritage Recognition

[DELETED PCI]