

DISTRICT-WIDE MATTERS

INF – Infrastructure

Network utilities, including *infrastructure of regional and national importance*, are an essential part of the District's infrastructure. Communities rely on network utilities to function. It is therefore critical the development, operation, upgrading and maintenance of these essential services are managed appropriately to ensure the social, economic and cultural wellbeing of those in the District and beyond. Such infrastructure, services and facilities can also create significant direct or indirect adverse environmental effects, some of which may be quite specific to the utility. Due to their locational, technical and operational constraints, some utilities may generate adverse effects that cannot be practically avoided, remedied or mitigated. As such, these effects need to be balanced against the essential nature of facilities and the benefits these utilities provide to the social, economic, health and safety and wellbeing of people and communities in the Manawātū District and beyond.

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

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

Telecommunication and *Radiocommunication* facilities are in part managed under the Resource Management (National Environmental Standards for *Telecommunication* Facilities) Regulations 2016 (NESTF). The NESTF provides a nationally consistent planning framework for a wide range of *telecommunication* facilities in locations inside and outside the *road* reserve.

Telecommunication facilities not covered by the NESTF 2016 are controlled under the District Plan.

The Manawātū Whanganui *Regional Council's* One Plan also provides for the regional and national importance of a range of infrastructure in the region. The Regional Policy Statement section of the One Plan (RPS) requires that councils recognise, and have regard to the benefits

that derive from regionally and nationally important infrastructure and utilities, and that the establishment, operation, maintenance and upgrading of such infrastructure be provided for in the District Plan. The RPS also requires that the *Council* ensure that adverse effects from other activities on *network utility* infrastructure are avoided as reasonably practicable.

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

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

The provisions in this chapter address the development and maintenance of network utilities. The intention is that this chapter will be standalone at the completion of the Sectional District Plan Review. There are some chapters and zones where provisions may apply (for example setbacks) until the Sectional District Plan Review progress has been completed. As other chapters and provisions are reviewed, relevant provisions will be included or cross referenced to this chapter, and those reviewed chapters will cease to apply. When completed, the rules in this chapter (including any cross referenced) will supersede the *zone* rules. *Zone* rules will only apply if specifically stated in this chapter.

For the avoidance of doubt, *Network Utility* activities within ONFLs will only be assessed under the provisions of chapter INF – Infrastructure, and not the underlying zoning in which they are located.

Note: There are some existing rules that identify subdivision and land use to be setback from *Network Utility* infrastructure and these continue to apply as outlined in other chapters in the District Plan until those provisions are reviewed.

Guidance Note: Plan Users are directed to SUB-MAE-ST7 for additional provisions that apply to *Network Utilities* with respect to infrastructure being located underground.

Issues

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

INF-11	To provide for the safe, effective and efficient operation, maintenance, <i>replacement</i> and upgrade of network utilities, including <i>infrastructure of regional and national importance</i> .
INF-12	Recognising that network utilities have technical and operational requirements that may dictate their location and design.
INF-13	The safe, effective and efficient operation, maintenance, <i>replacement</i> and upgrading and <i>planned development</i> of network utilities can be put at risk by inappropriate subdivision, use and development.
INF-14	The need to balance the visual amenity effects of network utilities against their locational needs.
INF-15	The need to manage the disposal of solid waste material by reusing and recycling where possible, while avoiding the use of contaminated soils.
INF-16	Recognising the constraints on existing network utilities when considering new development.
INF-17	Potential effects from electromagnetic and other forms of radiation.
INF-18	The location, operation and maintenance, <i>replacement</i> upgrading of network utilities can create adverse effects on the environment.

[DELETED PCI]

Objectives

INF-01	To ensure <i>network utility</i> infrastructure of national and regional importance, including the <i>National Grid</i> , is able to operate, upgrade and develop efficiently and effectively while managing any adverse effects in the environment having regard to the locational, technical and operational constraints of the infrastructure.
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INF-02	To ensure all other <i>network utilities</i> are designed, located, constructed, operated, upgraded and maintained in a manner that ensures the efficient use of <i>natural and physical resources</i> while recognising the environment they are located in.
INF-03	To protect <i>network utilities</i> in the district, and in particular nationally and regionally important infrastructure, including the <i>National Grid</i> , by avoiding the adverse effects of subdivision use and development and other land use activities on the operation, maintenance, <i>replacement</i> , and upgrading of the existing network utilities and <i>planned development</i> of new network utilities.
INF-04	The characteristics and values of the Outstanding Natural Features and Landscapes identified in NFL-APP1 and historic heritage identified in HH-SCHED3 and HH-SCHED4 are protected from the inappropriate use and development of new network utilities. [PC65]

Policies

INF-P1	To enable the establishment, operation, maintenance, <i>replacement</i> , and <i>minor upgrading</i> of network utilities.
INF-P2	To encourage <i>network utility</i> operators to coordinate and co-locate services or to locate within the existing roading network where practicable.
INF-P3	To encourage all new cables and lines, including electricity distribution lines (but not the <i>National Grid</i>) are installed underground.
INF-P4	To recognise the locational, technical and operational requirements and constraints of network utilities and the contribution they make to the functioning and wellbeing of the community and beyond when assessing their location, design and appearance.
INF-P5	To ensure network utilities are constructed and located in a manner sensitive to the amenity and landscape values where they are located, including those areas identified as Significant Amenity Features in NFL-APP2. [PC65]

INF-P6	To ensure that any vegetation is planted and maintained to avoid interference with network utilities, including transmission lines and the <i>National Grid Yard</i> .	
INF-P7	To require that appropriate separation of activities is maintained to enable the safe operation, maintenance, <i>replacement</i> and upgrading, and avoid <i>reverse sensitivity</i> and/or manage risk issues.	
INF-P8	To ensure all subdivision and development is designed to avoid adverse effects on the operation, access, maintenance, <i>replacement</i> and upgrading of existing or <i>planned development</i> of network utilities.	
INF-P9	To manage the effects of subdivision, development and land use on the safe, effective and efficient operation, maintenance, <i>replacement</i> and upgrading of the <i>National Grid</i> by ensuring that:	
	INF-P9.1	Areas are identified in the Plan to establish safe buffer distances for managing subdivision and land use development near the <i>National Grid</i> .
	INF-P9.2	<i>Sensitive activities</i> , and <i>intensive farming</i> are excluded from establishing within the <i>National Grid Yard</i> .
	INF-P9.3	Non- <i>sensitive activities</i> within the <i>National Grid Yard</i> are managed so that the <i>National Grid</i> is not compromised.
	INF-P9.4	Subdivision is managed around the <i>National Grid Corridor</i> to avoid subsequent land use from restricting the operation, maintenance and upgrading of the <i>National Grid</i> .
	INF-P9.5	Changes to existing activities within a <i>National Grid Yard</i> do not further restrict the operation, maintenance and upgrading of the <i>National Grid</i> .
INF-P10	To avoid significant adverse cumulative effects from new network utilities on the characteristics and values of Outstanding Natural Features and Landscapes. [PC65]	
INF-P11	To avoid new utilities in Buildings and Objects with Heritage Value in HH-SCHED2, HH-SCHED3 and Sites with Heritage Value in HH-SCHED4, unless:	

	INF-P11.1	Avoidance is not reasonably practicable; and
	INF-P11.2	There are no significant adverse effects on the site. [PC65]
INF-P12	To avoid utilities in Outstanding Natural Landscapes and Features in Appendix NFL-APP1 unless that infrastructure is of national or regional importance and only then if:	
	INF-P12.1	Avoidance is not reasonably practicable and that is demonstrated by a thorough options analysis, recognising the functional and operational need of the Network Utility; and
	INF-P12.2	Adverse effects are remedied or mitigated using best practicable options; and
	INF-P12.3	INF-P10 is satisfied. [PC65]
INF-P13	To provide for the operation, maintenance, replacement or minor upgrading of existing network utilities located within or adjacent to Outstanding Natural Features and Landscapes. [PC65]	
INF-P14	To avoid inappropriate use and development of new network utilities within Outstanding Natural Landscapes which adversely affects the identified values and characteristics of the areas, and adverse effects are unable to be mitigated or remedied, including:	
	INF-P14.1	The extensive unbuilt coastal strip along the Manawātū Coastline Outstanding Natural Landscape.
	INF-P14.2	The unmodified and continuous indigenous vegetation values and the ridges and hilltops of the Ruahine Ranges Outstanding Natural Landscape. [PC65]
INF-P15	To recognise the benefits of the National Grid by providing for the major upgrade or development of new National Grid Electricity infrastructure in an Outstanding Natural Feature or Landscape by seeking to avoid adverse effects on the characteristics and values of the feature or landscape by ensuring route, site and method selection demonstrates that, to the extent practicable having regard to the functional, operational and technical needs of the National Grid (in order of preference):	

	INF-P15.1	Infrastructure will be located outside of an Outstanding Natural Feature or Landscape.
	INF-P15.2	Where INF-P15.1 cannot be achieved, infrastructure will be located in the more compromised parts of the Outstanding Natural Feature or Landscape; and
	INF-P15.3	Adverse effects will be avoided; and
	INF-P15.4	Adverse effects that cannot be avoided will be remedied or mitigated. [PC65]

Rules - Network utilities

Rules in this chapter apply District-wide and the chapter needs to be read in conjunction with the other rules in Transport, Noise, Earthworks, Signs, Temporary Activities, Relocated Buildings, and Boarding, Breeding and Training Kennels, the District Plan maps, relevant appendices and depending on the progress of the Sectional District Plan Review at the time an application is lodged, any relevant provisions of the applicable *zone*.

Note: The provisions in the Transport, Noise, Earthworks, Signs, Temporary Activities, Relocated Buildings, and Boarding, Breeding and Training Kennels chapters are intended to be standalone for the development and maintenance of *Network Utilities* upon completion of the Sectional District Plan Review. There are some chapters and zones where provisions may apply (for example setbacks). The new provisions will be included or cross referenced to the Infrastructure Chapter as the Sectional District Plan Review progresses. Provisions in the rules of the District Plan that may apply until they are reviewed include, but are not limited to, the relevant noise provisions in the Manfeild Park Zone and Special Development Zone, subdivision provisions, special *yard* requirements in the General Residential *Zone*, *buildings* clear of drains in the Settlement and General Rural *Zones*, and roading impacts on the General Rural *Zone* and Flood Channel *Zones*.

Guidance Note: Plan Users are directed to SUB-MAE-ST7 for additional provisions that apply to *Network Utilities* with respect to infrastructure being located underground.

Permitted Activities (PER)

The following *network utilities* are *Permitted Activities* throughout the District, provided that they comply with the standards in INF-ST1 to INF-ST16:

INF-R1	The operation, maintenance, <i>replacement</i> , or <i>minor upgrading</i> or repair of lawfully established or consented network utilities, or those that are existing as at 22 February 2017.
INF-R2	Construction, operation, maintenance, realignment and upgrading of roads and railway lines within the <i>road</i> reserve or railway corridor.
INF-R3	The construction, operation, maintenance, <i>replacement</i> and <i>minor upgrading</i> of <i>radiocommunication and/or telecommunication facilities</i> , cables and lines.
INF-R4	Underground pumping stations and pipe networks for the conveyance or drainage of water or sewage, and necessary incidental equipment.
INF-R5	Water storage tanks, reservoirs and wells, including pump stations.
INF-R6	Pipes for the distribution (but not transmission) of natural or manufactured gas at a gauge pressure not exceeding 2000kPa including any necessary ancillary equipment such as household connections and compressor stations.
INF-R7	The construction, operation, maintenance, <i>replacement</i> and upgrading of any new electricity lines up to and including 110kV and associated transformers and switchgear.
INF-R8	Soil conservation, erosion protection, river control or flood protection works undertaken by, or on behalf of the Manawatū Wanganui <i>Regional Council</i> .
INF-R9	Land drainage, stormwater control or irrigation works including pump stations.
INF-R10	Railway crossing warning devices and barrier arms.
INF-R11	Trig stations and survey marks
INF-R12	Navigational aids, lighthouses and beacons.
INF-R13	Meteorological instruments and facilities.

INF-R14	Decommissioning and removal of utilities.
INF-R15	Electric vehicle charging stations.
INF-R16	The trimming and removal of any vegetation that is required to maintain safe separation distances or the ongoing efficient operation of the <i>telecommunication</i> or electricity line.

Guidance Notes:

1. The provisions of the National Environmental Standard for Telecommunications Facilities (2016) apply and resource consent may be required under those Standards. In the event of a conflict between them the provisions of the National Environmental Standard override the District Plan.
2. Water takes, diversions, new tracks, drilling of bores, offal pits, farm dumps and *earthworks* are also regulated by the Manawatū-Wanganui *Regional Council* and a resource consent may be required under the rules of the One Plan.
3. The National Environmental Standard for Electricity Transmission Activities (2010) (NESETA) sets out a national framework of permission and consent requirements for activities on *National Grid* lines existing at 14 January 2010. Activities include the operation, maintenance and upgrading of existing lines but exclude the development of new lines (post 14 January 2010) and substations. The District Plan must not be in conflict with nor duplicate the provisions of the NESETA.
4. Vegetation and planting around lines (including the *National Grid*) shall comply with the Electricity (Hazards from Trees) Regulations 2003.
5. The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) contains restrictions on the location of structures and activities in relation to the lines, and must be complied with.
6. Early consultation with Heritage New Zealand Pouhere Taonga is encouraged where a development may adversely affect an item listed on the New Zealand Heritage List/Rarangi Korero. Works near or within areas of historic heritage may also require an Archaeological Authority under the Heritage New Zealand Pouhere Taonga Act (2014). It is an offence to modify or destroy an archaeological *site* or demolish/destroy a whole *building* if the person knows or reasonably suspects it to be an archaeological *site*. An archaeological *site* is any place, including any *building* or structure (or part of), that:
 - a. was associated with human activity or the *site* of a wreck of a vessel that occurred before 1900; and

- b. provides or may provide, through archaeological investigation, evidence relating to the history of New Zealand.
7. The Electricity Act 1992 outlines the regulatory process for the electricity *industry* and the supply of electricity. This includes responsibilities between the electricity *industry* and landowners. The provisions of the Electricity Act 1992 are separate from the regulation of activities under the District Plan and Resource Management Act 1991.

Standards for Permitted Activities

The *permitted activities* specified in INF-R1 to INF-R16 must comply with the following standards and the relevant standards in those chapters and zones that have not been reviewed and made operative as part of the Sectional District Plan Review. The *permitted activities* specified in INF-R1 to INF-R16 do not need to comply with the *height* and setback rules in the *zone* chapter:

INF-ST1	New network utilities must not exceed a maximum <i>height</i> of:	
	INF-ST1.1	9m within the General Residential or Settlement <i>Zones</i> , or
	INF-ST1.2	25m within the General Rural <i>Zone</i> , or
	INF-ST1.3	22m for all other zones.
Guidance Note: <i>antennas</i> (including any ancillary equipment) that do not extend 3m above the <i>height</i> of the <i>building</i> or <i>mast</i> are excluded from the 9m, 22m or 25m limit above. The <i>mast heights</i> provided in i), ii) and iii) above can be increased by 5m if the <i>mast</i> is used by more than one telecommunications provider. Lightning rods may exceed the maximum <i>height</i> . Refer also to INF-ST6 relating to transmission line requirements.		
INF-ST2	Any <i>mast</i> with a <i>height</i> of more than 9m must not be located within 20m of any <i>site</i> zoned General Residential or Settlement.	
INF-ST3	All masts must be set back 20m from a <i>road</i> reserve on any <i>site</i> zoned General Rural or Flood Channel.	
INF-ST4	No <i>mast</i> , <i>building</i> or structure may be located closer than 5m to any <i>site</i> boundary. This 5m <i>yard</i> does not apply to <i>buildings</i> with a floor area of less than 10m ² , or to overhead lines and cables.	

INF-ST5	<i>Telecommunication</i> cabinets must not exceed 10 m ² in area in all zones, except in Flood Channel Zone where cabinets must not exceed 5 m ² in area.	
INF-ST6	Electricity transmission and distribution must not, with the exception of <i>minor upgrading</i> activities, exceed a <i>height</i> of:	
	INF-ST6.1	12m in the General Residential and Town Centre Zones, or
	INF-ST6.2	25m in all other zones.
INF-ST7	<i>Buildings</i> and structures within an electricity transmission corridor, including the <i>National Grid Yard</i> must:	
	INF-ST7.1	Comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 2001 (NZECP34:2001). (Note: compliance with the permitted activity standard of the Plan does not ensure compliance with NZECP34:2001); and
	INF-ST7.2	With the exception of electricity lines associated with the electricity transmission or distribution, not exceed a maximum <i>height</i> of 2.5m and an area of 10 m ² .
INF-ST8	No <i>antenna</i> will exceed the following dimensions:	
	INF-ST8.1	2.5 metres in diameter (dish <i>antenna</i>), or a face area of 1.5 m ² (other <i>antenna</i>) in the General Residential Zone, or
	INF-ST8.2	5 metres in diameter (dish <i>antenna</i>), or a face area of 2.5 m ² (other <i>antenna</i>) in all other zones.
INF-ST9	Where network utilities are located underground, any disturbance of the ground surface and any vegetation (apart from vegetation compromising the operational integrity of the <i>network utility</i>) must be reinstated or replaced upon completion of the works within the first available planting season. Guidance Note: The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (2011) also applies to <i>earthworks</i> and a resource consent may be required under those provisions.	
INF-ST10	Works that are undertaken outside of an existing <i>road</i> corridor carriageway, or that are not operation, maintenance, <i>replacement</i> or <i>minor upgrading</i> works must not be located within the areas scheduled in HH-APP1, HH-APP2, TREE-	

	SCHED1, HH-SCHED2 and HH-SCHED3 and HH-SCHED4, Outstanding Natural Features and Landscapes identified in NFL-APP1 or Significant Amenity Features identified in NFL-APP2 of this Plan. [PC65]
INF-ST11	Exterior lighting must be directed away from public places and adjoining <i>sites</i> , and must avoid any spill of light that may result in safety concerns for <i>road</i> users.
INF-ST12	Metal cladding or fences must be painted or otherwise treated to mitigate reflection.
INF-ST13	All <i>road</i> /rail level crossings must be kept clear of <i>buildings</i> and other obstructions which might block sight lines in accordance with TR-APP5.
INF-ST14	All network utilities must meet the noise standards relevant to the <i>zone</i> they are located in.
INF-ST15	All activities that result in vibration must be managed in accordance with the NZ Transport Agency State Highway Construction and Maintenance Noise and Vibration guide (August 2013) to manage vibration beyond <i>site</i> boundaries.
INF-ST16	Electric vehicle charging stations must not exceed 1.5 m ² in area and 1.8m in <i>height</i> per charging station in all zones.

Guidance Notes:

1. Vegetation planted within an electricity transmission corridor, including the *National Grid Yard* and distribution lines should be selected and managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.
2. The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) contains restrictions on the location of structures and activities in relation to the lines.
3. *Buildings*, structures and other activities near transmission gas lines should be managed according to the Operating Code Standard for Pipelines – Gas and Petroleum (NZS/AS 2885) and the Gas Distribution Networks (NZS 5258:2003).
4. Compliance with the permitted activity standards in INF-ST1 to INF-ST16 does not necessarily ensure compliance with the relevant code of practice identified above.

5. Sounds generated by construction, maintenance and demolition activities will be assessed, predicted, measured, managed and controlled by reference to NZS6803:1999 Acoustics – Construction Noise.
6. For any construction work associated with any infrastructure that is undertaken in the legal *road*, the person responsible for that work must be able to demonstrate compliance with the National Code of Practice for Utility Operators Access to Transport Corridors (2011).
7. *Radiocommunication and/or telecommunication facilities* that emit radiofrequency fields are required to comply with the radiofrequency regulations in the NESTF 2016.

Restricted Discretionary Activities (RDIS)

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

INF-R17

Any *permitted activity* that does not comply with any of the relevant standards in INF-ST1 to INF-ST16. This rule does not apply to activities that do not meet standard INF-ST10 unless it meets the definition of *minor upgrading*, *maintenance* or *replacement*.

Matters of Discretion (MD)

For INF-R17 the *Council* has restricted its discretion to considering the following matters, only to the extent that they are relevant to the standard that is not met:

INF-MD1	Scale of built form and location on <i>site</i> , including <i>height</i>
INF-MD2	Screening, storage and landscaping
INF-MD3	Traffic generation, <i>site</i> access and parking
INF-MD4	Noise and vibration
INF-MD5	Signage
INF-MD6	Lighting
INF-MD7	Effects on heritage

	INF-MD8	Known effects on the health and safety of nearby residents.
	Assessment Criteria (AC)	
	In determining whether to grant a resource consent and what conditions to impose, the <i>Council</i> will, in addition to the objectives and policies of the Infrastructure section and the relevant <i>zone</i> , assess any application in terms of the following assessment criteria:	
	INF-AC1	The proposed benefits of the <i>network utility</i> proposal to the wider community and beyond.
	INF-AC2	Whether the activity will result in any adverse effects on amenity values of neighbouring properties or the character of the <i>zone</i> in which the activity is proposed.
	INF-AC3	Whether the application remains consistent with the intention of the standard(s) it infringes.
	INF-AC4	The degree to which the non-compliance can be mitigated to ensure the effects are internalised to the <i>site</i> .
	INF-AC5	The degree to which co-location has been considered and is practicable.
	INF-AC6	Whether the activity impacts on the scheduled heritage values in HH-APP1, HH-APP2, TREE-SCHED1, HH-SCHED2, HH-SCHED3, HH-SCHED4, Outstanding Natural Features and Landscapes identified in NFL-APP1 or Significant Amenity Features identified in NFL-APP2 of this Plan and, if so, how such impacts are remedied or mitigated. [PC65]
	INF-AC7	The degree to which the alternative locations, <i>sites</i> , or routes have been assessed and any operational, locational or technical constraints considered.
	INF-AC8	The degree to which the proposed facility may affect the performance of other utilities nearby.
	INF-AC9	The technical and operational needs for the efficient functioning of the <i>network utility</i> .

Discretionary Activities (DIS)

The following activities shall be a Discretionary Activity:

INF-R18	Any new network utility, including windfarms and new transmission and distribution electricity lines within any Outstanding Natural Feature as identified in Appendix NFL-APP1 or Significant Amenity Feature identified in Appendix NFL-APP2. [PC65]
INF-R19	Any <i>network utility</i> not otherwise specified as <i>Permitted, Restricted Discretionary</i> or <i>Non-Complying Activity</i> , or is not specifically provided for in this Plan. [PC65]
INF-R20	Any new <i>National Grid transmission line</i> within an Outstanding Natural Landscape identified in NFL-APP1. [PC65]

Non-Complying Activities (NC)

INF-R21	Any new <i>network utility</i> , including windfarms and new distribution electricity lines located within an Outstanding Natural Landscape identified in NFL-APP1 is a <i>Non-Complying Activity</i> . [PC65]
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DISTRICT-WIDE MATTERS

EWA – Energy, Water Use and Air Quality

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

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

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

Objectives

EWA-01	To promote sustainability of energy and water use through more efficient use, conservation and a higher degree of local self-sufficiency, as well as a move toward renewable energy sources. (Refer also: GRUZ-01, SUB-09)
EWA-02	To take Māori cultural and spiritual values into account when dealing with water and energy use matters and air quality issues. (Refer also: GEN-04, TW-01)
EWA-03	To minimise the adverse effects of water and energy use and other activities upon the environment, particularly upon the life-supporting qualities of water. (Refer also: GRUZ-01, SUB-05, SUB-09, SUB-011, ER-05, INF-01, INF-02)

EWA-O4	To help to avoid, remedy or mitigate the adverse effects of activities involving discharge to air, through land use management. (Refer also: GEN-O1, GEN-O2, GEN-I2, GEN-I12, GEN-I13) [PCI]
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Policies

EWA-P1	To promote wider public use of techniques to conserve water and energy and help improve water and air quality.
EWA-P2	To take future energy demands into account when considering urban growth proposals.
EWA-P3	To work with the Tangata Whenua to identify the relevant cultural and spiritual values related to this topic, through early and ongoing consultation.
EWA-P4	To recognise the benefits of tree and forest planting in helping to lower atmospheric CO ₂ levels, and in improving water quality.
EWA-P5	To take potential impacts on water and air quality into account when managing the effects of new land use activities.
EWA-P6	To require that activities which may cause significant adverse effects through discharges to air are, as far as practical, located away from residential areas and other incompatible uses.

Explanation

The above statements for Energy, Water Use and Air Quality are squarely in line with the Act, particularly with the matters stated in Sections 6 and 7. Māori cultural values are relevant due to concerns with matters like water quality and water based disposal of sewage.

There are many ways in which resource users, government agencies and the public could be persuaded to adopt a more sustainable attitude toward energy and water use and air pollution. The degree of financial or competitive benefit which people can gain from becoming more efficient is an important motive. The pricing structures which supply authorities put in place are therefore very important. The prime movers in energy efficiency campaigns should be regional

and central government and energy suppliers, who are best placed to do this work. *Council* will be involved in some education campaigns, but will need to look first at water supply pricing and making its own “core activities” more “sustainable.”

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

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

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

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

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

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

Methods

District Plan Methods

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

Other Methods

- ~~Promoting walkways and cycle routes and supporting the continuation of public transport.~~
- ~~Campaigns to make people more aware of the impact of dumping substances into the stormwater system.~~
- ~~Raising awareness within the *building* and farm supply *industry* about the energy/water efficient systems and appliances which are available.~~
- ~~Continued water conservation campaigns, with reviewed water supply bylaws which include conservation measures, for example:~~
- ~~Sensible hosing restrictions based not only on “time of use”.~~
- ~~Stronger action on persistent water wasters, e.g. ultimate ability to disconnect their supply.~~
- ~~Requiring that all new *building* projects install simple water conservation technology, like dual flush toilets.~~
- ~~Back-up for water rationing measures if the townships’ rights to take water are curtailed during severe drought.~~
- ~~Water supply, refuse and sewage disposal methods and charges which give people an incentive to reduce wastage.~~
- ~~Making sure that the Tangata Whenua are consulted about any new waste management or sewage disposal plans, and that their concerns with water quality especially are recognised.~~
- ~~Continued control over nuisances and potentially dangerous activities via the Health Act, Hazardous Substances and New Organisms Act, offensive trades licensing, and bylaws.~~

- Responding appropriately to public complaints about environmental pollution.
- Recycling programmes for the public.
- A Regional waste inventory programme, with District Council support.
- Environmental initiatives in Council's own operations, including
 - Assessing energy and water efficiency in all new projects and in existing plants.
 - In-house recycling and use of recycled products.
- Considering using alternative fuels for Council vehicles, taking into account not only direct costs but the benefits of reducing fuel imports and atmospheric emissions.
- Investigating new water supply sources which have less effect on river flow regimes.
- Education or incentives for urban residents to install rainwater tanks for supplementary supply and stormwater management.

Environmental Results Anticipated

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

Monitoring And Review Procedures (Energy, Water Use and Air Quality)

The procedures to be used will include:

1. Obtaining feedback from Council's Marae Consultative Committee about Council's dealings on these matters.
2. Reporting on energy and water use in the Manawatū compared to national trends.

- ~~3. “State of the Environment” reporting on water and air quality.~~
- ~~4. Assessing how effective land use consent conditions have been in avoiding or mitigating adverse effects from energy extraction or use, and on air and water quality.~~
- ~~5. Analysis of the location of new activities which require consent under the Regional Air Plan, and of complaints about these facilities.~~
- ~~6. Obtaining feedback from the *Regional Council* to identify any water and air quality problems arising from land use activities.~~
- ~~7. Preparing audits of energy and water efficiency within *Council’s* own operations.~~

[DELETED PCI]

DISTRICT-WIDE MATTERS

TR – Transport

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

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

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

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

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

Issues

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

TR-11	Potential effects from development on the safety and efficiency of the transport network.
TR-12	The need to plan for and design roads to ensure they function in accordance with their status in the Roding Hierarchy.

TR-13	Providing for alternative transport modes such as walking, cycling and passenger transport in <i>urban areas</i> to reduce car dependency where possible
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[DELETED PCI]

Objectives

TR-O1	To maintain and enhance the safe, efficient and integrated operation of the transport network within the District.
TR-O2	To protect the roading network, as identified in TR-APP1, from the potential adverse <i>effects</i> of all land use activities.
TR-O3	To mitigate the adverse <i>effects</i> of roads and vehicles on <i>amenity values</i> of the District.

Policies

TR-P1	To ensure that the adverse <i>effects</i> of vehicle movements to and from roads are managed by:	
	TR-P1.1	Requiring appropriate sight lines for vehicles at railway crossings, at intersections and at property entrances and exits.
	TR-P1.2	Ensuring that vehicle crossings are formed to a safety standard appropriate to the function, as defined in the Roding Hierarchy in TR-APP1, of the <i>road</i> concerned.
	TR-P1.3	Preventing vegetation, <i>signs</i> and structures from obscuring <i>official signs</i> or posing a risk to <i>road</i> users.
	TR-P1.4	Providing appropriate facilities for pedestrians and cyclists, particularly in <i>urban areas</i> .
	TR-P1.5	Ensuring that new vegetation plantings are managed to maintain adequate visibility at <i>road</i> intersections and property accesses, and to minimise icing of roads.

TR-P2	To ensure that the adverse <i>effects</i> of vehicle movements associated with access ways are managed by:	
	TR-P2.1	Limiting the number of new vehicle crossings onto all roads.
	TR-P2.2	Requiring all accesses onto roads to be built to a standard that is appropriate for their intended use.
	TR-P2.3	Ensuring that property accesses are spaced, constructed and used in a manner which does not disrupt traffic flows.
	TR-P2.4	Ensuring that traffic generation to and from <i>sites</i> is managed through car equivalent movements to ensure traffic, including heavy vehicles, are compatible with the roading network.
TR-P3	To ensure development setbacks near railway level crossings are achieved to maintain sight distances as specified in TR-APP5.	
TR-P4	To establish and maintain a roading hierarchy for roads in the District.	
TR-P5	To recognise the importance of maintaining the safety and efficiency of the District's roading network.	
TR-P6	To restrict the through movement of traffic where this can have adverse <i>effects</i> on visual, noise and safety on adjacent residential uses.	
TR-P7	To promote corridor management for key <i>road</i> routes within the District, to ensure that they are constructed and managed in a way that is safe and efficient and which may include restricting or encouraging the flow of traffic through movement of vehicles.	
TR-P8	To enable the development of network utilities in the <i>road</i> reserve only where the roading network has the capacity to accommodate them.	
TR-P9	To ensure all roads are designed to achieve form and function consistent with the Roding Hierarchy and <i>road</i> cross sections in TR-APP1 and TR-APP2 respectively.	
TR-P10	To mitigate the <i>effects</i> of roads and parking areas on visual <i>amenity values</i> through the provision of landscaping.	

TR-P11	To support and encourage walking and cycling as alternative modes of transport.
TR-P12	To require that <i>building</i> materials and exterior lighting do not cause reflection or light spill that distracts <i>road</i> users.
TR-P13	To ensure roads are designed recognising alternative modes and the need to provide <i>local road</i> amenity.
TR-P14	To ensure development of new roads is integrated into the existing roading network in a coordinated manner.

Rules

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

Permitted Activities (PER)

TR-R1	All roads Guidance Note: Roads other than State Highways are not designated under this Plan and are zoned instead. The zoning of roads must be the same as that of the adjoining land. If the zoning on <i>opposite</i> sides of the <i>road</i> is different, then the <i>road</i> centreline is the <i>zone</i> boundary.
TR-R2	Access The formation of vehicle crossings onto roads is a Permitted Activity in all zones provided that they comply with TR-ST1 below. Guidance Note: All vehicle crossings must be constructed according to <i>Council</i> policy and that <i>Council's</i> vehicle crossing application form is completed and submitted for approval.

Standards for Permitted Activities

TR-ST1	Vehicle Crossings: For all <i>zones</i> vehicle crossings onto all roads must comply with the following standards:	
	TR-ST1.1	All vehicle crossings must be sited in accordance with the minimum sight distances and intersection spacings as defined in TR-APP3.
	TR-ST1.2	No new vehicle crossings will be located within 30m of any railway level crossing
	TR-ST1.3	Existing vehicle crossings that are within 30m of a railway level crossing must be maintained to ensure the sightline standards detailed in TR-APP5 are met
	TR-ST1.4	No ~~dwelling~~ <i>residential unit</i> or <i>accessory building</i> will have access via an unformed legal <i>road</i> (paper road). [PCI]
	TR-ST1.5	Onsite manoeuvring must be provided for vehicles to enter and exit in a forward direction.
	TR-ST1.6	Vehicle crossing movements must not exceed 100 car equivalent movements per day and the car equivalent movements must be calculated in accordance with TR-APP4.
	TR-ST1.7	Vehicle Crossings must comply with Diagram D-Special Use Access in TR-APP3 if there is more than one slow, heavy or long vehicle movements per week using the accessway and vehicle crossing.
	TR-ST1.8	All vehicle crossings must be constructed or upgraded according to <i>Council's</i> Engineering Standards.
	TR-ST1.9	In addition to standards TR-ST1 – TR-ST1.8 above, for <i>Major Arterial</i> or <i>Minor Arterial roads</i> the following also apply:
	TR-ST1.9.a	Vehicle crossings may only be constructed on <i>Major Arterial Road</i> or <i>Minor Arterial Road</i>

			identified in TR-APP1 if there is no alternative legal access from the <i>site</i> to another <i>road</i> .
		TR-ST1.9.b	In the Mixed Use <i>Zone</i> , vehicle access to <i>sites</i> from SH54/Aorangi Street, between Gladstone St and Eyre Street, must be left turn in and left turn out only.
	Guidance Note: All vehicle crossings must be constructed according to <i>Council</i> policy and that <i>Council's</i> vehicle crossing application form is completed and submitted for approval.		
TR-ST2	Glare - Any <i>Permitted Activity</i> within any <i>zone</i> in the District Plan must also comply with the following glare standards:		
	TR-ST2.1	Exterior lighting must be directed away from public places and adjoining premises and must avoid any spill of light that may distract <i>road</i> users.	
	TR-ST2.2	There must be no sun-strike <i>effect</i> on <i>road</i> users resulting from mirrored glazing or unpainted corrugated iron fences.	
TR-ST3	Car Parking – Any activity in the District must also comply with the following car parking standards:		
	TR-ST3.1	Car Parking and Manoeuvring Spaces, and Access Manoeuvring space and car parking spaces must comply with the minimum dimensions set out in NZS 2890.1:2004 Parking Facilities – Off-Street Car Parking and NZS 4121 (2001): Design for Access and Mobility – <i>Buildings</i> and Associated Facilities.	
	TR-ST3.2	Formation and Screening of Car Parking Areas	
		TR-ST3.2.a	For all activities except ~~<i>dwellings</i>~~ <i>residential units</i> , car parking and manoeuvring spaces in the Mixed Use, General Residential, and Settlement <i>zones</i> must be formed, surfaced in seal or concrete and marked out to the <i>Council's</i> standard. [NPS-UD 2020] [PCI]
		TR-ST3.2.b	For all activities in the General Rural and General Industrial <i>zones</i> , except ~~<i>dwellings</i>~~ <i>residential units</i> , car parking and manoeuvring

			spaces must be formed, surfaced in seal, concrete or permeable surfacing and marked out to the <i>Council's</i> standard. [NPS-UD 2020] [PCI]
		TR-ST3.2.c	Car parking areas adjoining <i>sites</i> zoned General Residential must be screened from the General Residential <i>Zone</i> by a solid screen wall or fence at least 2m high.
		TR-ST3.2.d	Car parking in the Open Space <i>Zone</i> must not be located within 3m of the front boundary of the <i>site</i> , or within 4.5m of any property zoned General Residential or Settlement.

Restricted Discretionary Activities (RDIS)

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

TR-R3	Any <i>Permitted Activity</i> that does not comply with any of the relevant standards in TR-ST1 – TR-ST3.	
	Matters of Discretion: For these activities, the <i>Council</i> has restricted its discretion to considering the following matters, only to the extent that they are relevant to the standard that is not met:	
	TR-MD1	the safe, efficient and integrated operation of the transport network
	TR-MD2	design and appearance of parking areas
	TR-MD3	glare
	TR-MD4	access
	TR-MD5	visual amenity <i>effects</i> on adjoining General Residential <i>zoned</i> properties and surrounding <i>streetscape</i> .
	TR-MD6	traffic generation, <i>site</i> access and parking
	TR-MD7	<i>Effects</i> on walking and cycling and other alternative modes such as passenger transport.

Assessment Criteria:

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

TR-AC1	the degree of non-compliance with the particular performance standards that the proposal fails to meet.
TR-AC2	whether the application remains consistent with the intention of the standard(s) it infringes.
TR-AC3	whether the application will result in any adverse <i>effects</i> on <i>amenity values</i> of neighbouring properties or the character of the <i>zone</i> in which the activity is proposed.
TR-AC4	whether the application will result in any adverse <i>effects</i> on <i>streetscape</i> character as anticipated under TR-APP2.
TR-AC5	the degree to which the non-compliance can be mitigated to ensure any <i>effects</i> are internalised to the <i>site</i> .
TR-AC6	whether there is a reasonably practicable alternative for legal access to a <i>road</i> other than a <i>Major Arterial Road</i> or <i>Minor Arterial Road</i> .
TR-AC7	whether alternative transport modes such as walking, cycling and passenger transport have been provided for.

Discretionary Activities (DIS)

TR-R4	Any activity not otherwise specified as <i>permitted</i> or <i>restricted discretionary</i> , or is not specifically provided for in this Plan, shall be a <i>discretionary activity</i> .
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TR - APP1 – Roading Hierarchy

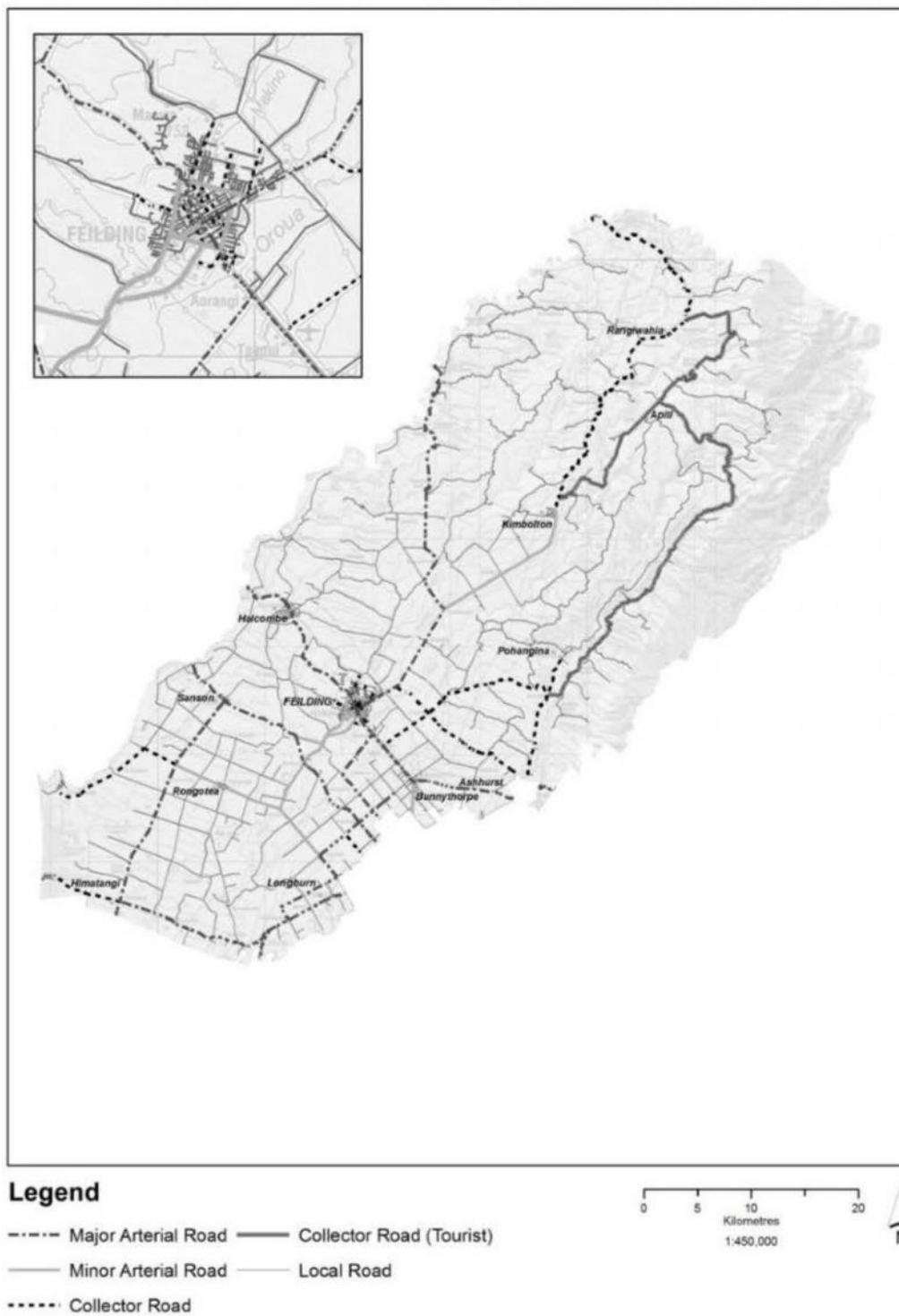


Figure 5 – Manawātū District Roading Hierarchy

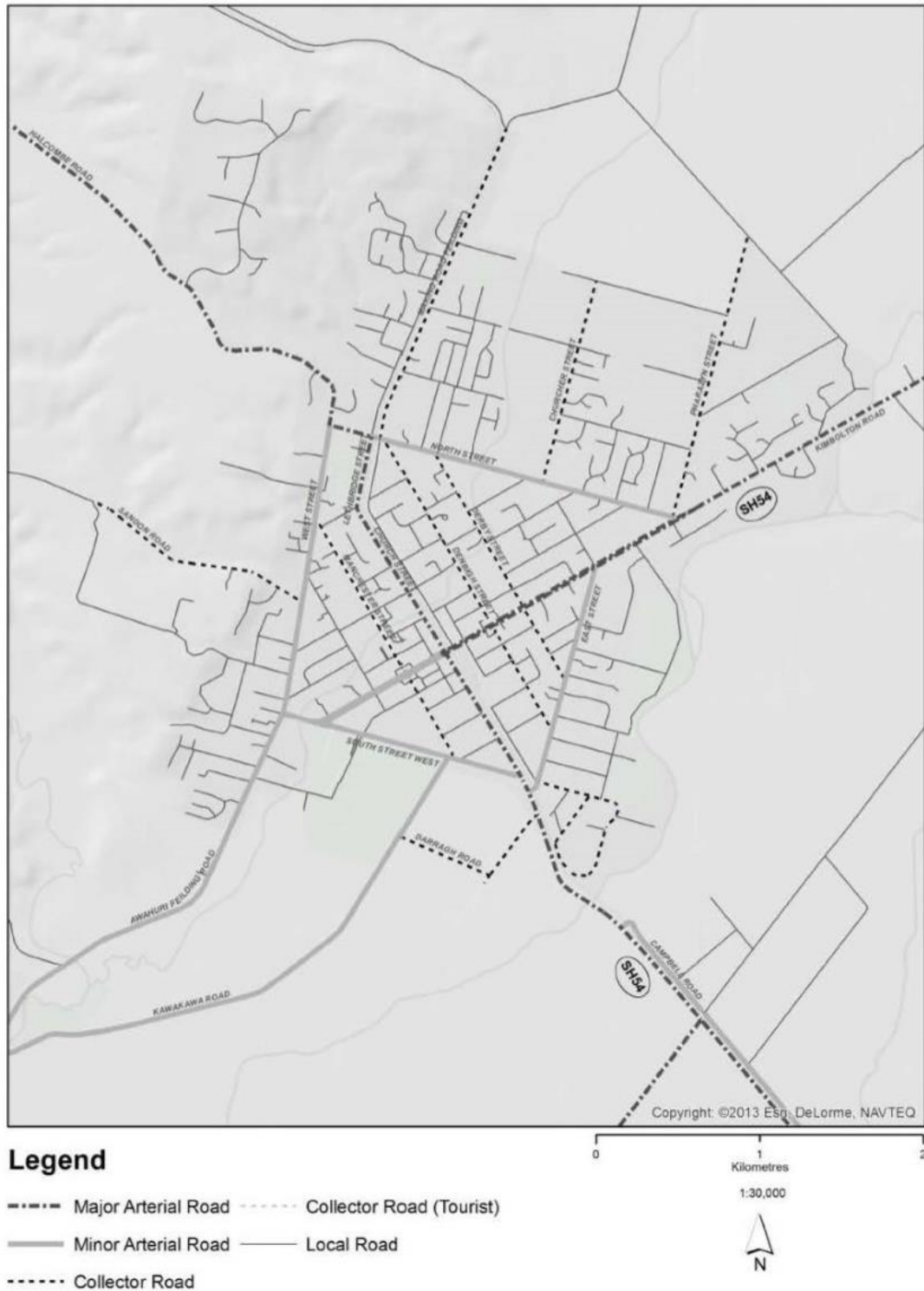


Figure 6 – Feilding roading hierarchy

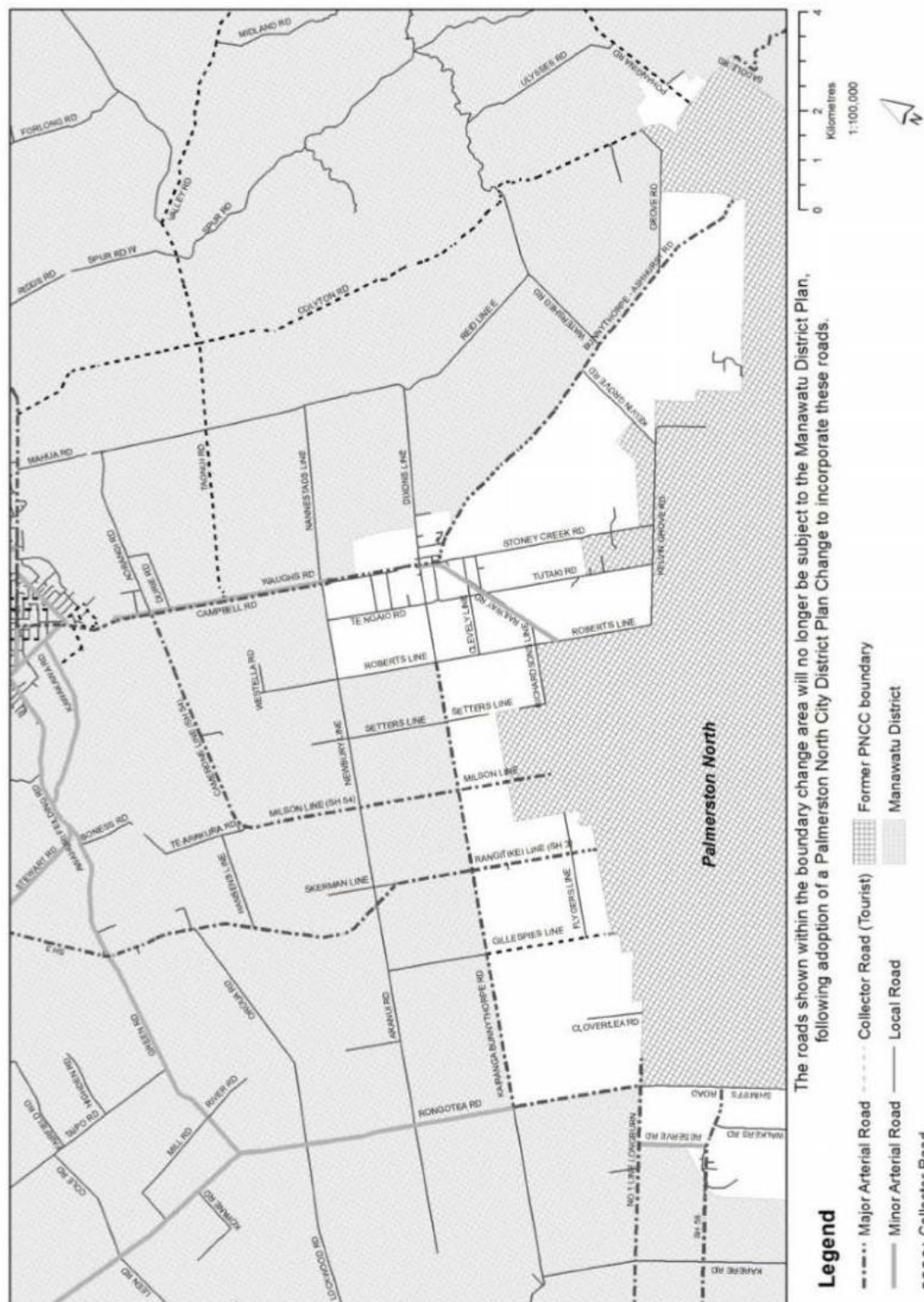


Figure 7 – Manawātū district road hierarchy – Boundary change area

TR - APP2 – Road cross sections

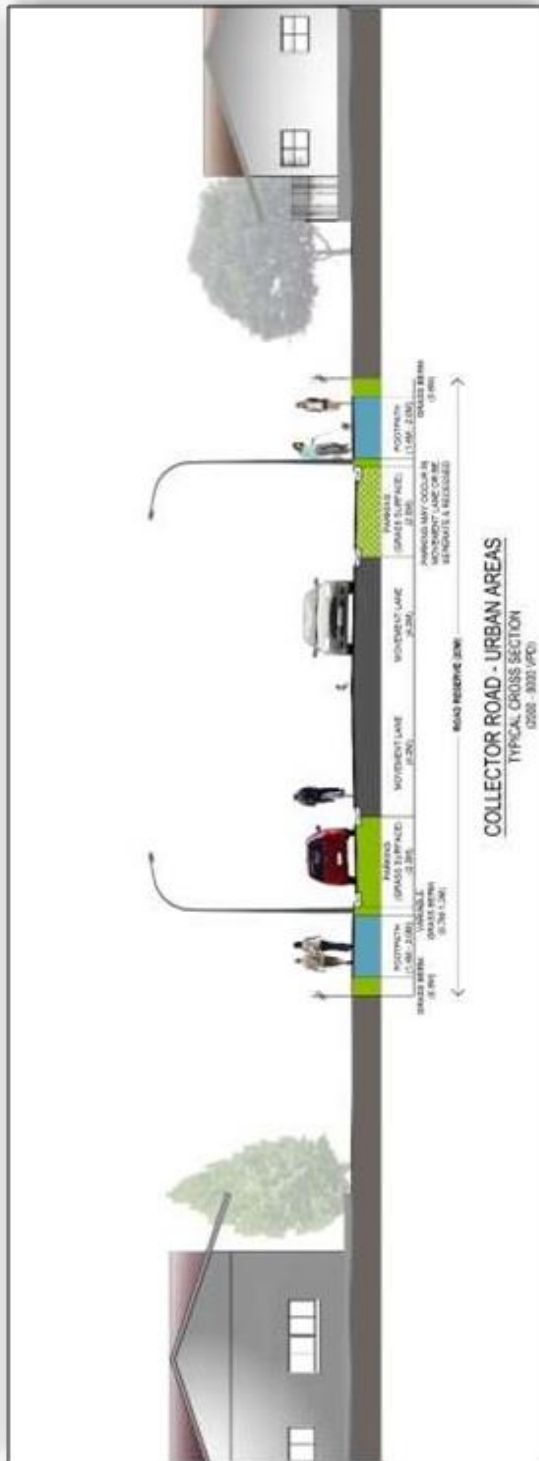


Figure 8 – Typical cross section: collector road – urban areas

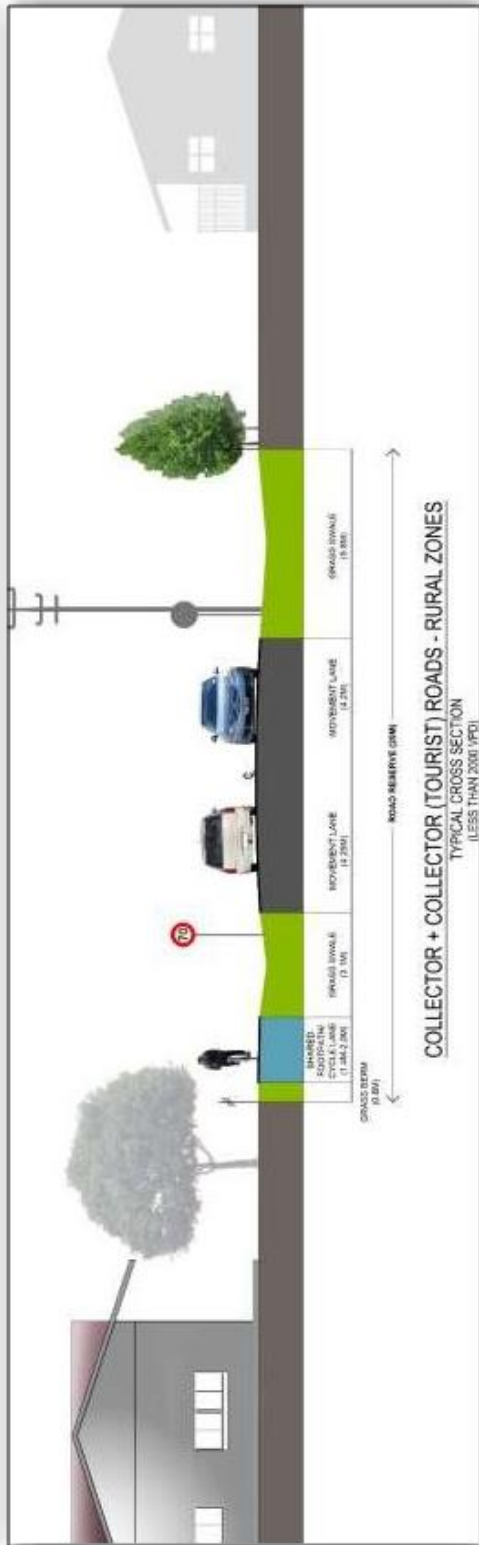


Figure 9 – Typical cross section: collector and collector (tourist) roads – rural zones



Figure 10 – Typical cross section: local road - all zones



Figure 11 – Typical cross section: collector road urban *Maewa* (*Growth Precinct 4*)

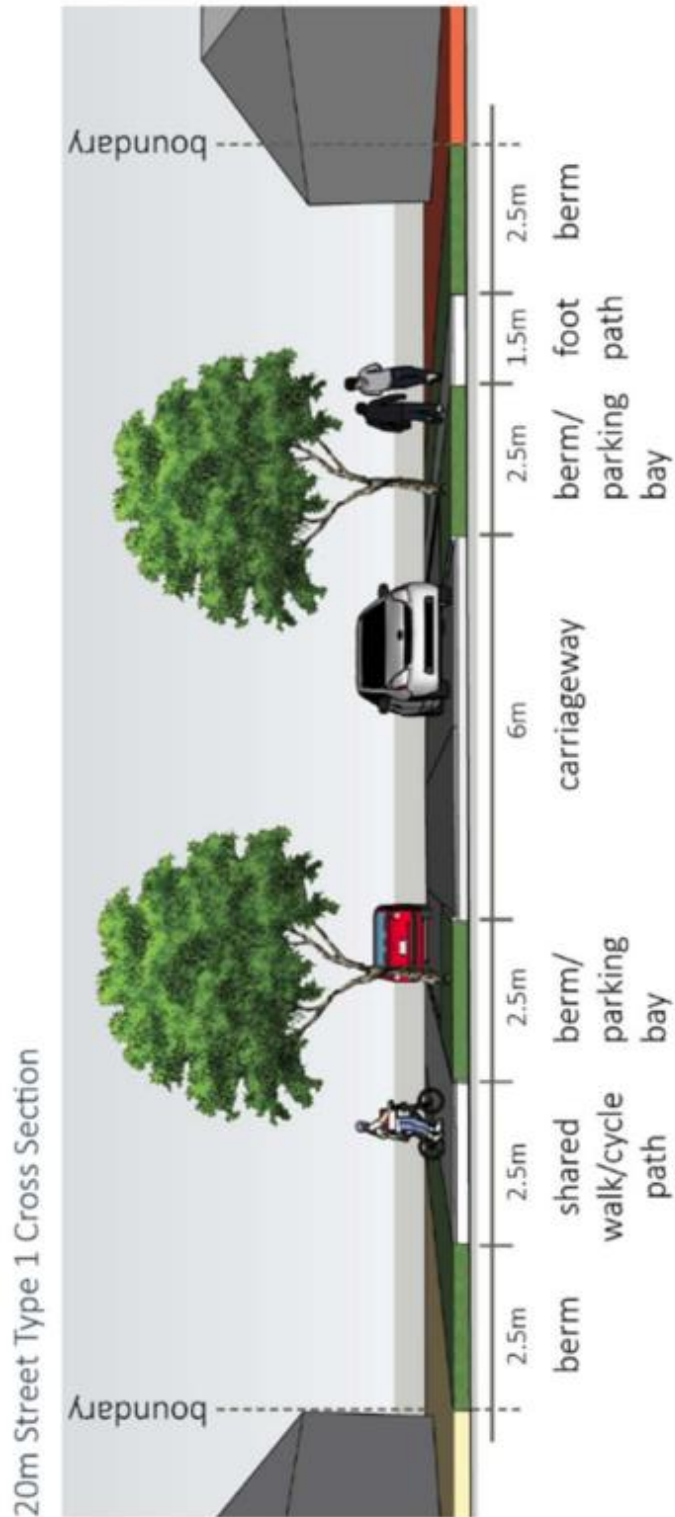


Figure 12 – Rongotea South Development Area – 20m Street Type 1 Cross Section

15m Street Type 2 Cross Section

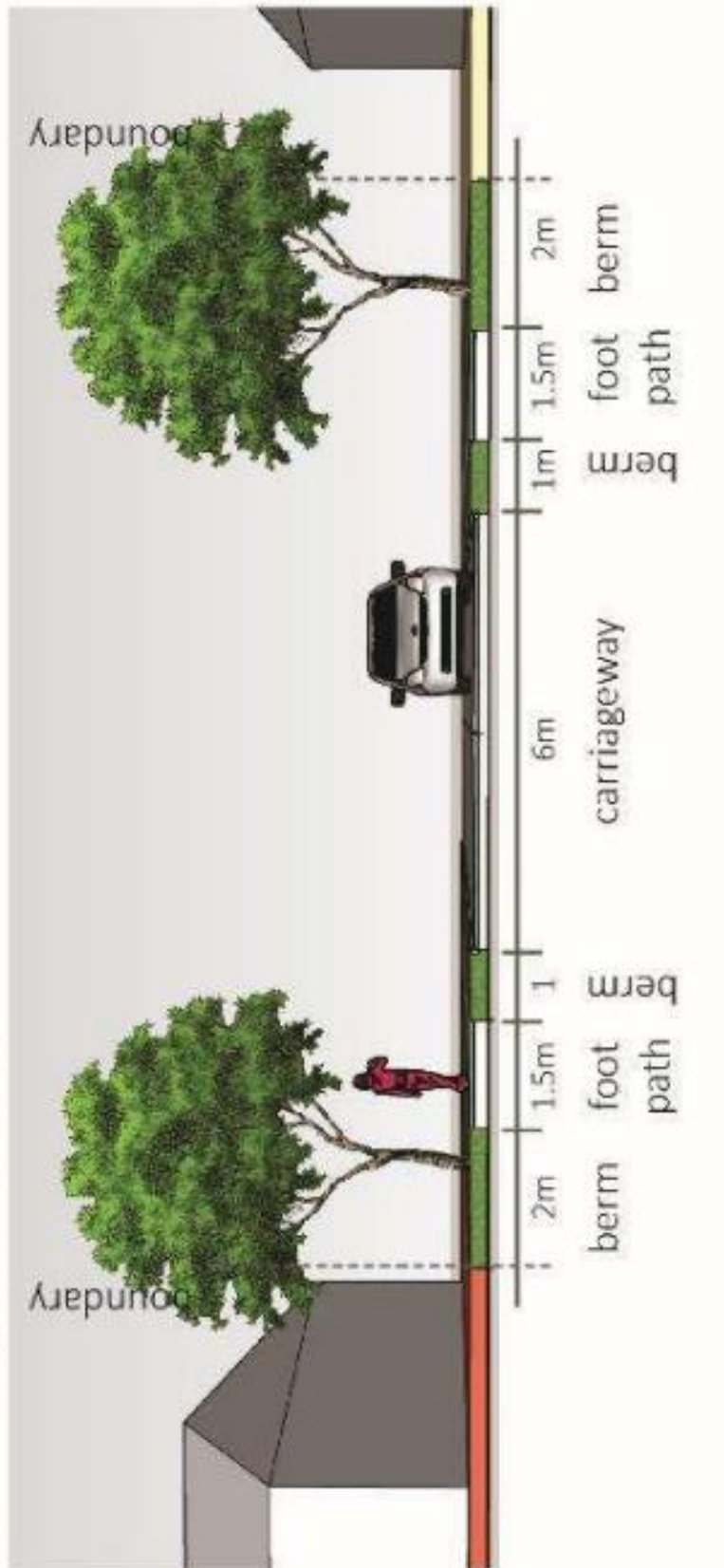


Figure 13 – Rongotea South Development Area – 15m Street Type 2 Cross Section

TR - APP3 – Measurement of Sight Distances and Minimum Spacing

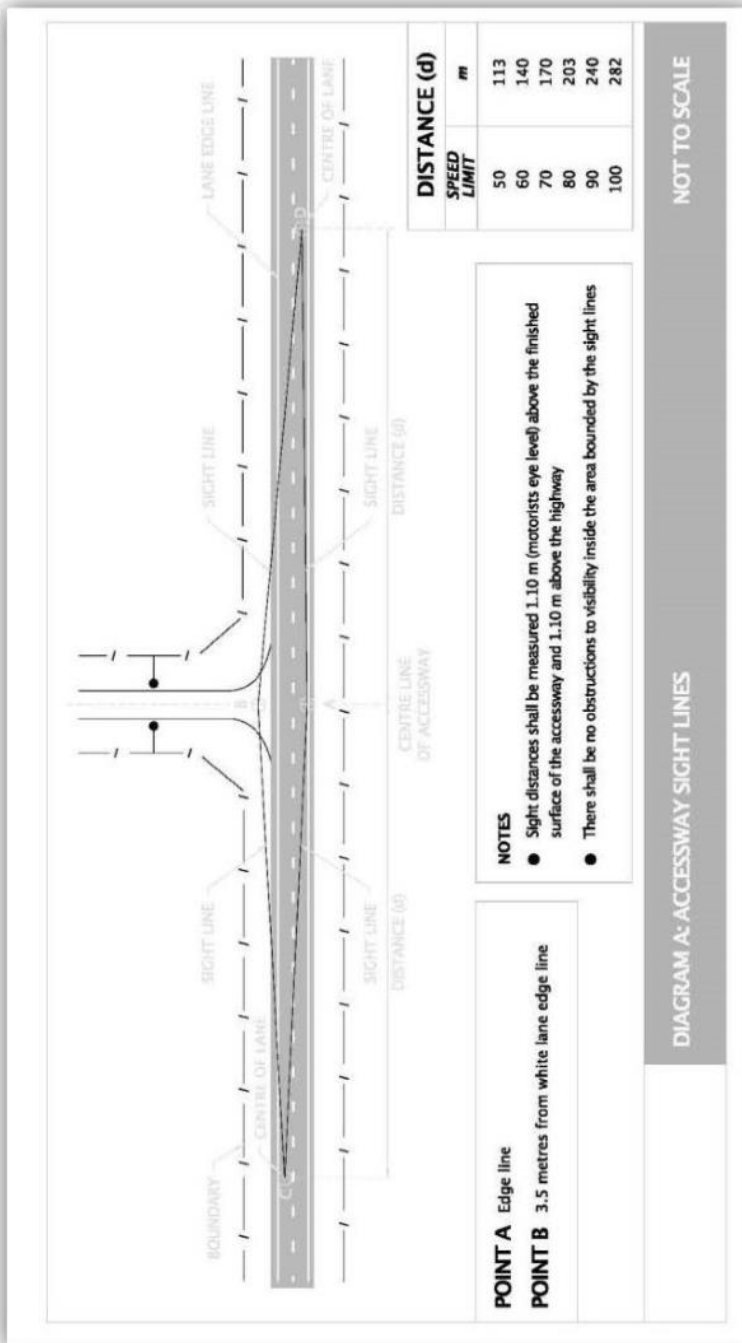


Diagram A – Accessway Sight Lines

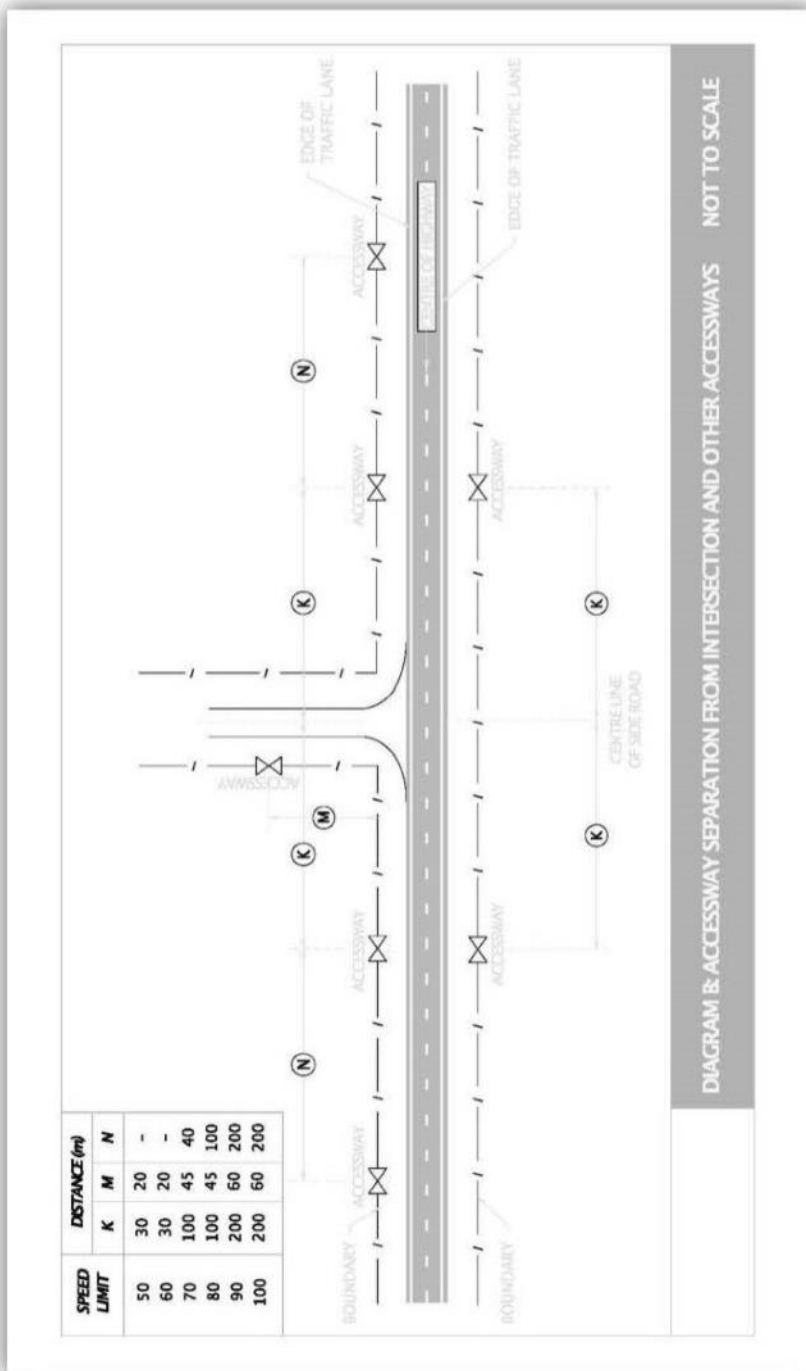


Diagram B – Accessway Separation From Intersection and Other Accessways

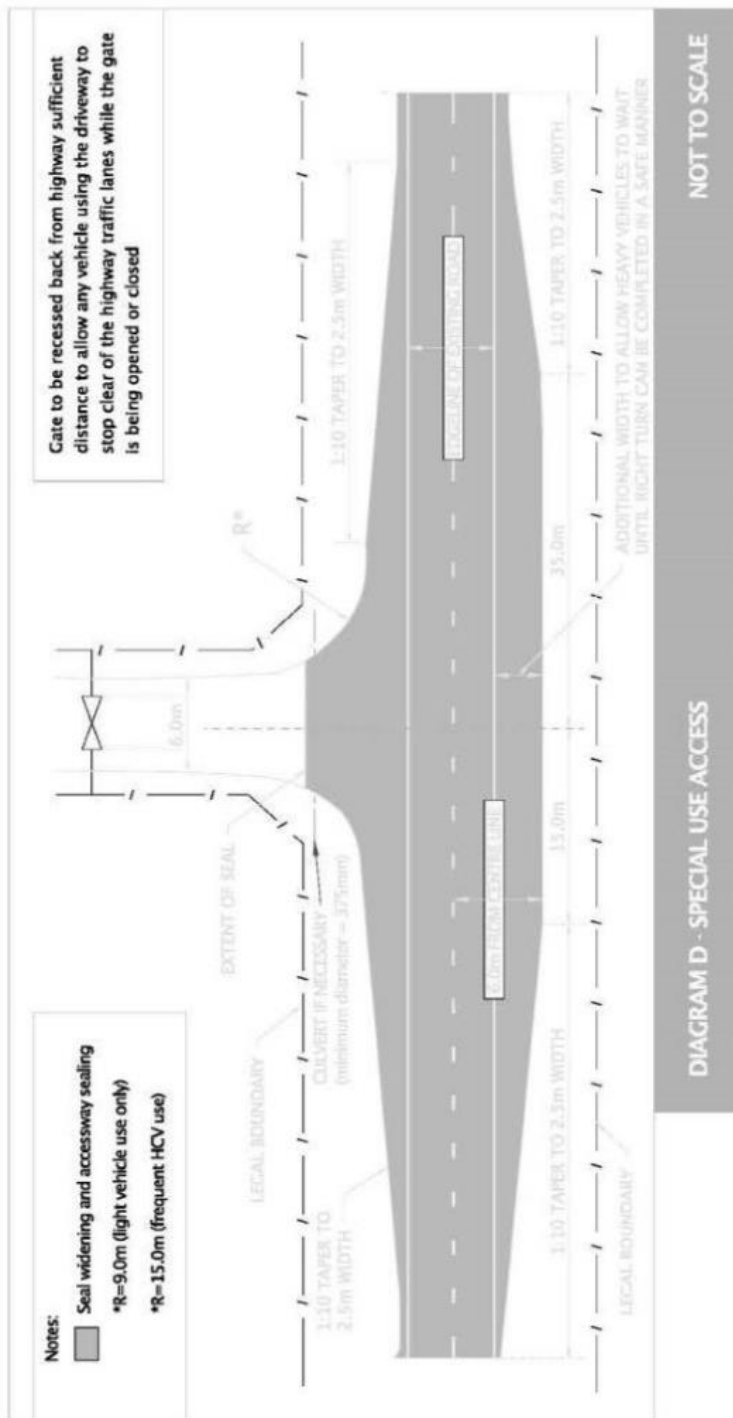


Diagram D – Special Use Access

TR - APP4 – Calculation of Car Equivalent Vehicle Movements

1. Car equivalent movements are defined as being the following within any given day:

Table 1 – Car equivalent movements

One car to and from the <i>site</i>	2 car equivalent movements
One truck to and from the <i>site</i>	6 car equivalent movements
One truck and trailer to and from the <i>site</i>	10 car equivalent movements
A ~~dwelling~~ <u>residential unit</u> [PCI]	Deemed to generate 8 car equivalent movements

2. The number of car equivalent movements will be deemed to be less than 30 if they exceed 30 on no more than two days per week, provided that they do not exceed 60 on any given day.
3. The number of car equivalent movements will be deemed to be less than 100 if they exceed 100 on no more than two days per week.

TR - APP5 – Traffic Sight Lines at Road/Rail Level Crossings

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

On *sites* adjacent to rail level crossings controlled by Stop or Give Way *signs*, no *building*, structure or planting must be located within the shaded areas shown in Figure 14. These are defined by a sight triangle taken 30 metres from the outside rail and 320 metres along the railway truck.

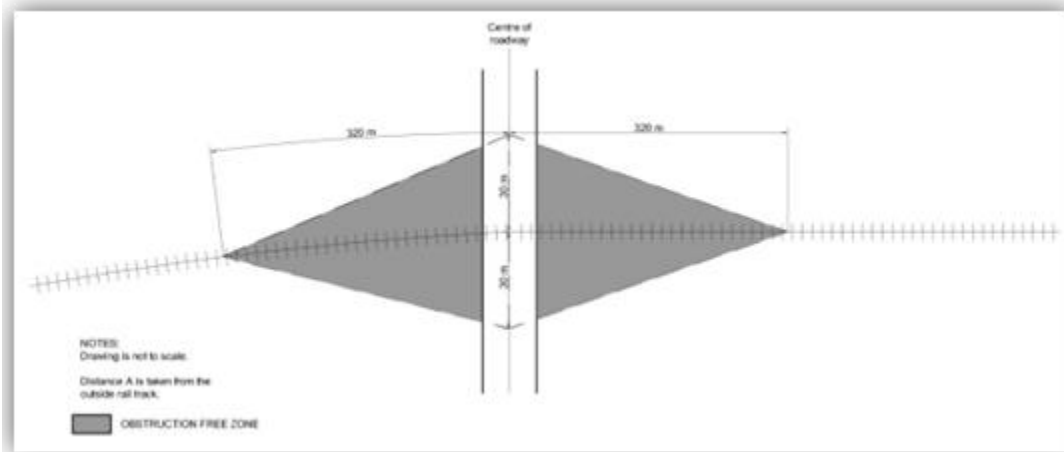


Figure 14 - Approach sight triangles at level crossings with “stop” or “give way” signs

Guidance Note:

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

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

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

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

Restart sight triangles at level crossings

On *sites* adjacent to all rail level crossings, no *building*, structure or planting must be located within the shaded areas shown in Figure 15. These are defined by a sight triangle taken 5 metres from the outside rail and distance A along the railway track. Distance A depends on the type of control in Table 2 below.

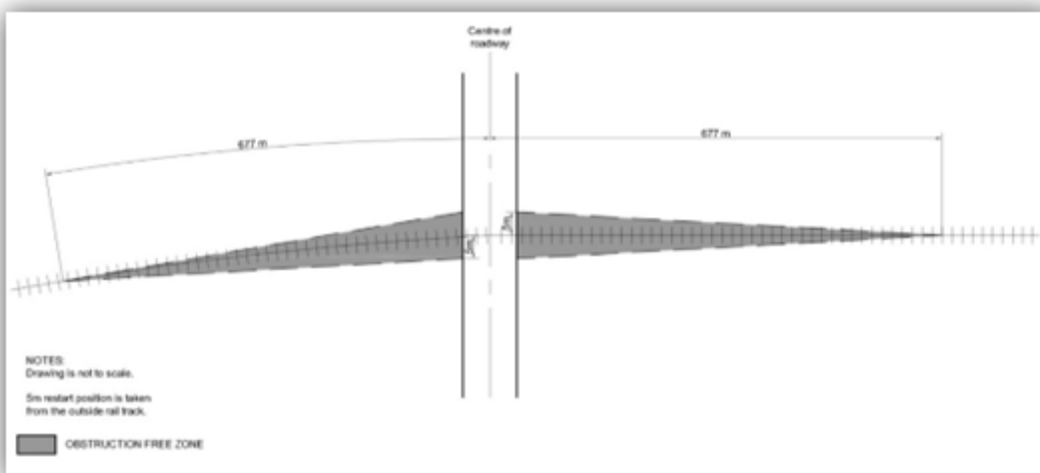


Figure 15 - Restart sight triangles for all level crossings

Table 2 – Required restart sight distances for Figure 15

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

Guidance Notes:

1. The restart sight line triangles ensure that a *road* vehicle driver stopped at a level crossing can see far enough along the railway to be able to start off, cross and clear the level crossing safely before the arrival of any previously unseen train.
2. Of particular concern are developments that include shelter belts, tree planting, or series of *building* extensions. These conditions apply irrespective of whether any visual obstructions already exist.
3. Figures 14 and 15 show a single set of rail tracks only. For each additional set of tracks add 25 m to the along track distance in Figure 14, and 50m to the along track distances in Figure 15.

4. All figures are based on the sight distance formula used in New Zealand Transport Agency Traffic Control Devices Manual 2008, Part 9 Level Crossings. The formulae in this document are performance based however the rule contains fixed parameters to enable easy application of the standard. Approach and restart distances are derived from a:

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

DISTRICT-WIDE MATTERS

HS – Hazardous Substances

Issues

GEN-14-[DELETED PCI]

Objectives

Refer also: GEN-O1 and GEN-O2

HS-O1	To minimise the risk to people and the <i>environment</i> from the use, transport and storage of hazardous substances and from contaminated <i>sites</i> .
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Policies

HS-P1	To ensure that hazardous substance use, transport and storage is sufficiently isolated from incompatible uses such as residential areas, hospitals or <i>natural areas</i> .
HS-P2	To ensure appropriate separation between hazardous installations and property boundaries.
HS-P3	To ensure that appropriate safety features are built into the design of installations which use or store hazardous substances.
HS-P4	To assist in ensuring that hazardous waste is properly disposed of.
HS-P5	To help improve the state of knowledge about contaminated <i>sites</i> in the District, and to notify the <i>Regional Council</i> and other responsible agencies.
HS-P6	To limit future land uses in or around contaminated <i>sites</i> , if necessary to protect human health.
HS-P7	To reduce the risk of <i>sites</i> being contaminated in the future.

Explanation

District and *Regional Councils* are responsible under *the Act* for preventing or mitigating “any adverse effects of the storage, use, disposal or transportation of hazardous substances” (s30 and s31 RMA). Hazardous substances include those which are explosive, flammable, oxidising, toxic, carcinogenic, radioactive, corrosive or environmentally persistent. There are also “harmless” materials which can sometimes be dangerous (e.g. dust explosions from sawdust or flour).

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

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

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

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

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

Methods

District Plan Methods

- District Rules and land use consent conditions in the following chapters: General Residential Zone, Settlement Zone, General Rural Zone, Commercial Zone, Open Space Zone, Natural Hazards, Manfeild Park Zone, Special Development Zone.

Other Methods

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

[DELETED PCI]

DISTRICT-WIDE MATTERS

NH – Natural Hazards

Flood Channel Zones

Introduction

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

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

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

Objectives

NH-01	To reduce the potential impact of natural hazard events, where these events represent a significant risk to human health and safety, to natural values or to property due to their potential severity and likelihood of occurrence.
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NH-O2	To avoid development which would adversely affect people’s health and safety including by placing unnecessary demands upon response agencies, including Civil Defence, during and after a hazard event.
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Refer also: SUB-O6, SUB-O8

Policies

NH-P1	To help improve the level of knowledge about the District’s natural hazards, particularly amongst those at risk.
NH-P2	To take the potential effects of tsunamis, coastal erosion / deposition processes, and the possibility of sea level rise into account when planning for the beach settlements and coastal areas.
NH-P3	To identify areas which are especially prone to damage from earthquakes, and consider special standards for <i>buildings</i> in these areas.
NH-P4	To help reduce the severity of flooding and land erosion events.
NH-P5	To prevent construction of ~~dwellings~~ <u>residential units</u> in areas subject to deep and/or fast-flowing floodwaters. [PCI]
NH-P6	To ensure that all <i>buildings</i> which are potentially affected by 100 year flood events (i.e. those with a 1% probability of happening in any given year) do not significantly impede or divert the flow of flood waters.
NH-P7	To ensure that ~~dwellings~~ <u>residential units</u> which are potentially affected by 100 year flood events are designed so that floodwaters do not enter them. [PCI]
NH-P8	To ensure that each new subdivided allotment has at least one <i>building site</i> (including effluent disposal area and suitable vehicular access) which is not prone to natural hazards, unless <i>Council</i> is satisfied that no ~~dwelling~~ <u>residential unit</u> will be required on the allotment. (SUB-P39). [PCI]
NH-P9	To require that the stability of new <i>buildings</i> in areas which are potentially susceptible to land movement is investigated and assessed.

Rules

NB – Words in italics have a specific definition contained in the Definitions chapter. Some of the activities listed below, particularly those marked ^{MWRC}, may also require consent from the *Regional Council*.

Permitted Activities (PER)

The following are *permitted activities* in the Flood Channel Zone provided that they comply with NH-ST1 to NH-ST11.

NH-R1	Reserves
NH-R2	<i>Farming</i>
NH-R3	Mineral exploration, prospecting or extraction activities, provided that the amount of material does not exceed 1,000 cubic metres per calendar year.
NH-R4	Extraction of more than 1,000 cubic metres of sand and/or gravel per year from a river beach, provided the <i>site</i> of the extraction is further than 500 metres from the nearest ~~dwelling~~ <i>residential unit</i> ^{MWRC} [PCI]
NH-R5	<i>Pig Farming</i> , provided the activity does not involve:
	NH-R5.1 More than two breeding sows, of which no more than 10 of the progeny can be retained beyond the weaner stage of eight weeks of age, or
	NH-R5.2 More than 12 growing pigs only, up to the bacon weight age
NH-R6	<i>Signs</i> which comply with SIGN-R1, SIGN-R2, SIGN-ST1 to SIGN-ST3.
NH-R7	Formation of vehicle crossings onto roads. NB: Consent from the <i>road</i> controlling authority is required for vehicle crossings onto Limited Access Roads
NH-R8	<i>Earthworks</i> ancillary to <i>permitted activities</i> or to approved <i>controlled, restricted discretionary or discretionary activities</i>
NH-R9	Planting, tending or removing shelter belts

NH-R10	Within the Flood Channel <i>Zone 2</i> only, planting, tending and harvesting forests, woodlots, or specialised tree crops. ^{MWRC}
NH-R11	Clearance, modification or harvesting of <i>indigenous vegetation</i> if it qualifies as a permitted activity under HH-APP4. ^{MWRC} NB: This rule shall not apply to the heritage places listed in HH-APP1 or HH-APP2. Rules on the modification of these places are instead contained in the HH – Historic Heritage chapter.

Controlled Activities (CON)

The following shall be *controlled activities* in the Flood Channel 1 *Zone* and Flood Channel 2 *Zone*, provided they comply with the standards in NH-ST1 to NH-ST11 below.

NH-R12	<i>Accessory buildings</i> ^{MWRC}
NH-R13	<i>Farm buildings</i> ^{MWRC}
NH-R14	Other <i>buildings</i> ancillary to the primary permitted use of the <i>site</i> ^{MWRC}
NH-R15	<i>Milking sheds</i>
NH-R16	<i>Pens housing animals.</i>

Reservation of Control (RC)

The matters over which *Council* has reserved its control and in respect of which conditions may be imposed are set out in NH-RC1 to NH-RC2:

NH-RC1	<i>Relocated buildings</i> – Refer to matters of control provided for in REL-R1.
NH-RC2	<i>Buildings</i> on Land Subject to Inundation and <i>Buildings</i> in the Flood Channel <i>Zones</i>. (GRZ-R14 to GRZ-R19, NH-R12 to NH-R16) (<i>Building</i> consent may be granted subject to Section 36 of the <i>Building Act</i> 1991).

	NH-RC2.1	The design, construction, and location of <i>buildings</i> having regard to their potential effect on flood water flows.
	NH-RC2.2	The minimum floor level of <i>buildings</i> . <i>Non-accessory buildings</i> should be designed so as not to be entered by a 100-year flood (i.e. a flood event with a 1% annual probability of occurring).
	NH-RC2.3	The location and design of vehicular access to the <i>building</i> .

Standards for Permitted and Controlled Activities –

For the Flood Channel Zone, the *permitted* and *controlled activities* specified above must comply with the following standards:

NH-ST1	Height	
	NH-ST1.1	Maximum <i>height</i> – 10m
	NH-ST1.2	No part of any <i>building</i> shall exceed a <i>height</i> equal to 3.0 metres plus three quarters of the shortest horizontal distance between that part of the <i>building</i> and the nearest <i>site</i> boundary. (Refer Figure 16)

	NH-ST3.3	All other <i>buildings</i> (including <i>Farm buildings</i>)
	NH-ST3.4	<i>Buildings</i> shall be kept at least 10m clear of the top edge of any public drain or watercourse.
NH-ST4	Visibility at Railway Crossings - Compliance with TR-ST1 and TR-APP5.	
NH-ST5	Access - Compliance with TR-ST1.	
NH-ST6	Farm Loading Ramps -	
	NH-ST6.1	Farm loading ramps shall be designed so that vehicles using the ramp do not have to reverse onto or off an arterial route, or park on any part of the carriageway of any arterial route while loading or unloading.
	NH-ST6.2	The minimum sight distance from any farm loading ramp which is designed so that vehicles using it have to park on any part of a non-arterial route, shall be 110m. If this sight distance is not available, the landowner shall provide advance warning to approaching traffic that the loading or unloading is taking place.
NH-ST7	Noise - Compliance with NOISE-R1.	
NH-ST8	Shelter Belts and Tree Planting	
	NH-ST8.1	Without the written consent of the adjoining landowner concerned, no shelter belt, woodlot or tree plantation shall be permitted to grow to over 4 metres in <i>height</i> :
	NH-ST8.1.a	Within 5m of any <i>northerly boundary</i> of the <i>site</i> , or within 10m of any other boundary of the <i>site</i> except a <i>road</i> boundary, or
	NH-ST8.1.b	Within 30m of any rural ~~dwelling~~ <u>residential unit</u> on another property, or [PCI]
	NH-ST8.1.c	Within 30m of any property zoned General Residential or Settlement.
	NH-ST8.2	Without the consent of the roading authority, no vegetation which might obstruct vehicle lines shall be permitted to grow within 30 metres of the centre of any intersection.

	NH-ST8.3	No plantation forest shall be permitted to grow within 50 metres of the edge of any <i>wetland</i> listed in HH-APP1, if that <i>wetland</i> is in the coastal area shown on the planning maps.
NH-ST9	Fencing of Properties	
	NH-ST9.1	Where any activity involves keeping male entire adult cattle or male entire horses in a paddock or enclosure which adjoins another property, those boundaries shall have a live electric wire in addition to, or attached to, the boundary fence, e.g. on outriggers. For the purposes of this rule “adult cattle” are defined as those which are at least one year old.
	NH-ST9.2	The rule shall not apply to <i>road</i> boundaries or to situations where the adjoining landowner concerned has given their written consent to a different standard or fence (or to no fence) being provided.
NH-ST10	Roading Impacts	
	NH-ST10.1	Suitable areas shall be provided on the <i>site</i> for stockpiling, logging and loading operations associated with forest harvesting. No such operations shall be undertaken on the <i>road</i> reserve without the consent of the roading authority. No stockpiling areas shall be located within the Flood Channel Zones.
	NH-ST10.2	No activity shall result in the generation of heavy traffic movements which involve:
		NH-ST10.2.a The weight of the loads concerned exceeding any weight restrictions on the bridge or culverts which are to be used
		NH-ST10.2.b The length of the loads concerned requiring the vehicle to utilise the <i>road</i> shoulder, water table or <i>road</i> verge when negotiating bends
		NH-ST10.2.c The timing of the vehicle movements in relation to prevailing ground conditions resulting in damage to the structural integrity of the <i>road</i> carriageway, or

	NH-ST10.2.d	The frequency of loads and spacing between them resulting in damage to the structural integrity of the <i>road</i> carriageway.
	NB: The onus will be on the landowner and operator of the activity to consult with the roading authority at an early stage to determine whether their proposals are compatible with the roading network in terms of the above. <i>Council</i> is not obliged to upgrade any <i>road</i> and may seek contributions from the landowner in such cases (Refer to the FIN – Financial Contributions chapter).	
NH-ST11	Glare - Compliance with TR-ST2.	

Restricted Discretionary Activities (RDIS)

The following activities are *restricted discretionary activities* in the Flood Channel Zones:

NH-R17	Any <i>permitted activity</i> or <i>controlled activity</i> specified above which does not comply with any of the relevant standards in NH-ST1 – NH-ST11.
NH-R18	Clearance, modification or harvesting of <i>indigenous vegetation</i> if it qualifies as a <i>restricted discretionary activity</i> under HH-APP4.
	NB: This rule shall not apply to the heritage places listed in HH-APP1 or HH-APP2 of the Plan. Rules on the modification of these places are instead contained in HH – Historic Heritage Chapter.

Matters of Discretion:

Applications for *restricted discretionary activities* shall be assessed against the matters set out below:

NH-MD1	In assessing applications for <i>restricted discretionary activities</i> <i>Council</i> has reserved its control over matters related to the effect of allowing non-compliance with the particular performance standard (or standards) which the proposal has failed to meet. Conditions may be imposed to avoid, remedy or mitigate the effects of non-compliance.
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NH-MD2	In assessing applications which have become <i>restricted discretionary activities</i> due to non-compliance with the Plan's performance standards, but which otherwise would have been <i>controlled activities</i> , Council has also reserved its control over the matters in NH-RC1 to NH-RC2 which relate to that type of <i>controlled activity</i> .						
NH-MD3	In assessing applications for clearance, modification or harvesting of <i>indigenous vegetation</i> (GRUZ-R33 and NH-R18) Council has restricted the exercise of its discretion to the potential impact of the proposed activity upon: <table> <tr> <td>NH-MD3.1</td><td>Areas of significant <i>indigenous vegetation</i> and significant habitats of indigenous fauna</td></tr> <tr> <td>NH-MD3.2</td><td>The intrinsic values of ecosystems.</td></tr> </table>	NH-MD3.1	Areas of significant <i>indigenous vegetation</i> and significant habitats of indigenous fauna	NH-MD3.2	The intrinsic values of ecosystems.		
NH-MD3.1	Areas of significant <i>indigenous vegetation</i> and significant habitats of indigenous fauna						
NH-MD3.2	The intrinsic values of ecosystems.						
NH-MD4	In relation to new <i>buildings</i> within the Inner Control Area or the Outer Control Area (NOISE-APP1) <table> <tr> <td>NH-MD4.1</td><td>The degree to which the adverse <i>effects</i> of aircraft noise will be mitigated through <i>building</i> construction methods which meet the noise insulation rating for <i>Schedule P</i>, <i>Schedule Q</i> or <i>Schedule R</i> (NOISE-SCHED1, NOISE-SCHED2 or NOISE-SCHED3) as applicable, including a 5dB safety margin.</td></tr> <tr> <td>NH-MD4.2</td><td>The health, safety and amenities of occupiers of the <i>building</i> in relation to airport noise.</td></tr> <tr> <td>NH-MD4.3</td><td>The potential <i>effect</i> of residential or communal use of the <i>building</i> upon the continued operation and efficiency of Palmerston North Airport, by way of pressure for curtailment of aircraft operations.</td></tr> </table>	NH-MD4.1	The degree to which the adverse <i>effects</i> of aircraft noise will be mitigated through <i>building</i> construction methods which meet the noise insulation rating for <i>Schedule P</i> , <i>Schedule Q</i> or <i>Schedule R</i> (NOISE-SCHED1, NOISE-SCHED2 or NOISE-SCHED3) as applicable, including a 5dB safety margin.	NH-MD4.2	The health, safety and amenities of occupiers of the <i>building</i> in relation to airport noise.	NH-MD4.3	The potential <i>effect</i> of residential or communal use of the <i>building</i> upon the continued operation and efficiency of Palmerston North Airport, by way of pressure for curtailment of aircraft operations.
NH-MD4.1	The degree to which the adverse <i>effects</i> of aircraft noise will be mitigated through <i>building</i> construction methods which meet the noise insulation rating for <i>Schedule P</i> , <i>Schedule Q</i> or <i>Schedule R</i> (NOISE-SCHED1, NOISE-SCHED2 or NOISE-SCHED3) as applicable, including a 5dB safety margin.						
NH-MD4.2	The health, safety and amenities of occupiers of the <i>building</i> in relation to airport noise.						
NH-MD4.3	The potential <i>effect</i> of residential or communal use of the <i>building</i> upon the continued operation and efficiency of Palmerston North Airport, by way of pressure for curtailment of aircraft operations.						

Discretionary Activities (DIS)

The following shall be discretionary activities in the Flood Channel Zones:

NH-R19	Mineral exploration, prospecting or extraction activities. ^{MWRC}
NH-R20	Crushing, screening or processing sand or gravel. ^{MWRC}
NH-R21	<i>Dwelling Residential</i> units in the Flood Channel 2 zone only, except if sited in the Air Noise Area (NOISE-APP1). ^{MWRC} [PCI]

NH-R22	Signs on private property which provide advance warning to motorists of retail sales outlets, restaurants or <i>tourist facilities</i> in the General Rural Zone, provided that:	
	NH-R22.1	The <i>signs</i> are located no further than 1km from the same business concerned if both are located on the same <i>road</i>
	NH-R22.2	The <i>signs</i> are located no further than 5km from the business concerned if the business is down a side <i>road</i> .
NH-R23	Coastal protection / river control structures located within 50m of Mean High Water Springs. ^{MWRC}	

Assessment Criteria:

The criteria by which applications will be assessed are set out in GEN-AC1 to GEN-AC25.
[DELETED PCI]

Non-Complying Activities (NC)

NH-R24	Any activity which is not categorised by this chapters being a <i>permitted, controlled, discretionary, restricted discretionary, or prohibited activity</i> shall be a <i>non-complying activity</i> .
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Prohibited Activities (PR)

The following shall be prohibited activities in the Flood Channel 2 Zone, if sited in the Air Noise Area (Refer NOISE-APP1).

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

NH-R25	Veterinary Clinics and Veterinary Hospitals
NH-R26	~~Dwelling~~ <i>Residential</i> units and residential accommodation, including relocated ~~dwellings~~ <i>residential units</i> [PCI]
NH-R27	<i>Family flats</i>
NH-R28	Craft Workshops and Studios

NH-R29	<i>Home occupations</i>
NH-R30	Retail sales from craft and workshop studios, <i>home occupations</i> , and farm produce
NH-R31	<i>Education Facilities</i> and Day Care Centres
NH-R32	Cemeteries and Crematoria
NH-R33	Parks, reserves, open space and scenic reserves
NH-R34	Hospitals and homes for the aged
NH-R35	Hotels and Taverns
NH-R36	Lodges, hunting, tour party and recreational bases
NH-R37	Marae
NH-R38	Places of assembly and libraries
NH-R39	Restaurants, reception rooms and <i>tourist facilities</i>
NH-R40	Travellers' accommodation
NH-R41	Communal activities
NH-R42	Motor Caravan Rallies
NH-R43	<i>Motor Caravan Sites</i>

Explanation

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

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

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

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

The District *Council* will be responsible for:

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

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

~~The District’s coastal area is potentially threatened by tsunami, coastal erosion and by shifting sand/sandblows. The NZ Coastal Policy Statement also requires that the possibility of sea level rise be considered. While stabilisation planting and sensible land use practices can reduce sand movement hazards, the only fully effective response to tsunami, marine erosion and sea level rise is avoiding development in the coastal area. (Refer CE-O1, SUB-O8)~~

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

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

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

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

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

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

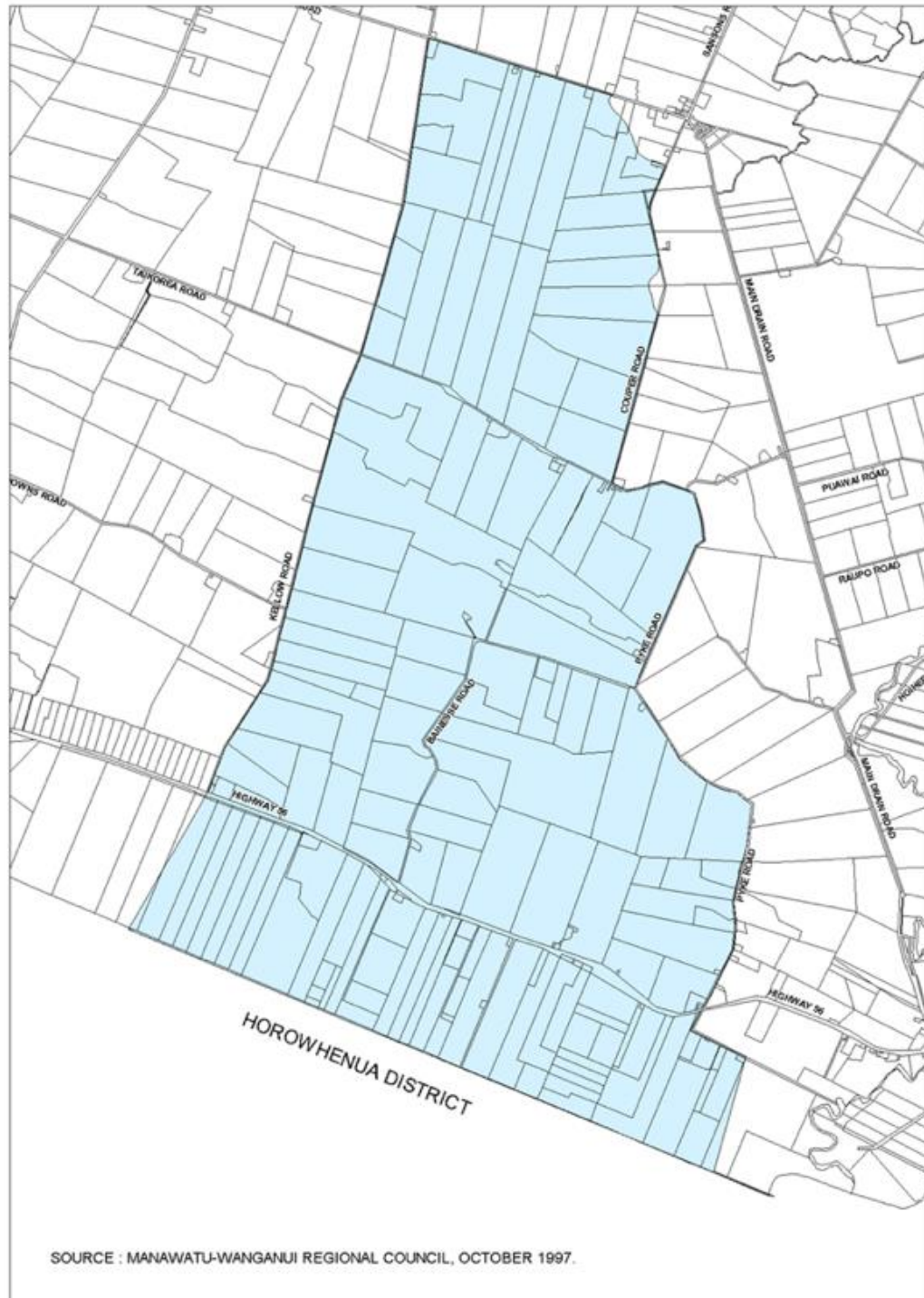


Figure 17 – Location of Localised Ponding Area

Figure 17 shows an area between Pyke, Kellow and Milner Roads which contains a high concentration of small lakes which appear following a wet winter or intense localised rainfall. This area is shown for information only and does not have any special controls associated with it.

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

Methods

District Plan Methods

- The NH Natural Hazards chapter, and SUB-ST24.

Other Methods

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

- ~~In exceptional cases assistance toward removing or stopbanking dwellings residential units in flood-prone localities.~~

~~Environmental Results Anticipated~~

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

~~Monitoring and Review Procedures~~

The procedures to be used will include:

- ~~1. Working with the *Regional Council* to gather information about natural hazards and to maintain a hazards database.~~
- ~~2. Reporting on growth of the beach settlements and on levels of damage to new dwellings residential units and buildings from flood events and land instability.~~
- ~~3. Reviewing all building consents granted for structures in the Flood Channel 1 and 2 Zones for *Regional Council* input and conditions such as minimum floor levels.~~
- ~~4. Debriefs after Civil Defence Emergencies include details of assistance sought from people in new dwellings residential units in hazard-prone areas.~~
- ~~5. Monitoring how effective rules and other methods have been in controlling development in areas at risk from natural hazards, and changing these methods if necessary.~~

[DELETED PCI]

HISTORICAL AND CULTURAL VALUES

HH – Historic Heritage

Introduction

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

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

The Resource Management Act (1991) requires *Council* to recognise and provide for the protection of historic heritage as a matter of national importance under Section 6(f). The Horizons *Regional Council* 'One Plan' also sets policy direction for *Council's* to develop and maintain a schedule of known historic heritage in their district.

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

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

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

The District Plan contains the following two historic heritage schedules:

- HH-SCHED1 – Significant Historic Built Heritage – Feilding Town Centre
- HH-SCHED2 – Significant Historic Built Heritage – Wider Manawātū District
- HH-SCHED3 – Buildings and Objects with Heritage Value – Marae Buildings

- HH-SCHED4 – Sites with Heritage Value – Archaeological Sites and Cemeteries

The criteria for assessment of significant historic built heritage aligns with the approach recommended by Heritage New Zealand Pouhere Taonga (HNZPT). These criteria are used to determine whether a building is included in the schedules as a Category A or Category B building in the District Plan. All buildings included in the schedules are identified on the relevant Planning Maps.

A heritage inventory of the buildings identified in HH-SCHED1 is a reference document designed to accompany the District Plan. HH-SCHED2 contains a summary of the heritage values identified for heritage items located in the wider Manawatū District, and an inventory of complete heritage reports relating to heritage items in the wider Manawatū District is available on request. [PCH(a)]

Important Places

The Rangitīkei River estuary is regarded as a regionally important *wetland* and wildlife habitat, but is located just outside the District Plan’s boundary (mean high water springs). Other important *wetlands* include the interdunal lakes, and the oxbow lakes which occupy former beds of the Manawatū and Ōroua Rivers. (Listed in HH-APP1). The dune area to the south of Tangimoana Beach *Road* is of international importance due to the presence of an endangered sedge, and a nearby area is of regional importance as a habitat for the North Island fernbird.

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

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

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

The *wetlands*, streams, and bush areas referred to above make a significant contribution to the quality of the landscape. The District’s outstanding landscapes and features are identified in the Natural Features and Landscapes Chapter of the District Plan [PC65]. [PCH(b)]

Objectives

HH-01	To protect <i>significant historic built heritage</i> that represents the history of the Manawatū District, from inappropriate subdivision, use and development.
HH-02	To ensure special recognition for natural features and places valued by the Tangata Whenua, and to make provision for protection, preservation or use of such places, in consultation with the groups concerned. (Refer also GEN-04)
HH-03	To promote greater public awareness of heritage places.
HH-04	To promote greater public access to heritage places, as long as that access does not compromise the value of those places. (Refer also ER-01 and ER-02).
HH-05	To promote the sustainable management of those areas of <i>indigenous vegetation</i> and habitats which have not been identified as significant. (Refer also SUB-O11).

Policies

HH-P1	To identify the significant historic built heritage in the Manawatū District of significant historic heritage value according to the following values:	
	Physical Values	
	HH-P1.1	Archaeological information: contributes information about the human history of the District.
	HH-P1.2	Architecture: is significant because of its design, form, scale, materials, style, ornamentation, period, craftsmanship or other architectural element.
	HH-P1.3	Technology and Engineering: demonstrates innovative or important methods of construction or design, contains

		unusual construction materials, is an early example of the use of a particular construction technique or has the potential to contribute information about technological or engineering history.
	HH-P1.4	Scientific: provides scientific information about the history of the district/region.
	HH-P1.5	Rarity: the built heritage has features within it that are unique, unusual, uncommon or rare at a district, regional or national level or in relation to particular historical themes.
	HH-P1.6	Representativeness: is a good example of its class in terms of design, type, features, use, technology or time period.
	HH-P1.7	Authenticity: has attributes of cultural heritage (including form and design, materials and substance, use and function, traditions and techniques, location and setting, and spirit and feeling) that credibly and accurately bear witness to their significance.
	HH-P1.8	Vulnerability: is vulnerable to deterioration or destruction or is threatened by land use activities.
	HH-P1.9	Context or Group: the built heritage is part of a group, a landscape, a townscape or setting which when considered as a whole amplify the heritage values of the built heritage and group/ landscape or extend its significance.
	Historic Values	
	HH-P1.10	People: is associated with the life or works of a well-known or important individual, group or organisation.
	HH-P1.11	Events: is associated with an important event in local, regional or national history.
	HH-P1.12	Patterns: is associated with important aspects, processes, themes or patterns of local, regional or national history.
	Cultural Values	

	HH-P1.13	Identity: has a focus of community, district, regional or national identity or sense of place, has social value and provides evidence of cultural or historical continuity.
	HH-P1.14	Public esteem: is held in high public esteem for its heritage or aesthetic values or as a focus of spiritual, political, national or other cultural sentiment.
	HH-P1.15	Commemorative: has symbolic or commemorative significance to people who use or have used it, or to the descendants of such people, as a result of its special interest, character, landmark, amenity or visual appeal.
	HH-P1.16	Education: contributes, through public education, to people's awareness, understanding and appreciation of New Zealand's history and cultures.
	HH-P1.17	Tangata whenua: is important to tangata whenua for traditional, spiritual, cultural or historical reasons.
	HH-P1.18	Statutory recognition: has statutory acknowledgement including: being included in the New Zealand Heritage List / Rārangī Kōrero under the Heritage New Zealand Pouhere Taonga Act 2014, has statutory acknowledgement under claim settlement legislation, or is recognised by special legislation. [PCH(a)]
HH-P2	To schedule significant historic built heritage according to their heritage value(s) into one of the following categories:	
	HH-P2.1	Category A – significant historic built heritage with values of national significance.
	HH-P2.2	Category B – significant historic built heritage with values of regional or local significance.
HH-P3	To encourage the continued use and modification for reuse of significant historic built heritage where the historic heritage values are retained.	
HH-P4	To encourage the seismic strengthening of significant historic built heritage that maintains the building's significant heritage values.	
HH-P5	To avoid, where possible, the demolition of significant historic built heritage.	

HH-P6	To encourage the retention of building façades where demolition or substantial alteration of a building with significant historic heritage values is proposed.	
HH-P7	To balance the protection of significant historic heritage values with other resource management issues and public safety concerns and in making an assessment under this policy to have regard to, without limitation:	
	HH-P7.1	Market conditions affecting the feasibility of adaptive reuse;
	HH-P7.2	The economics of a range of reasonably practicable options;
	HH-P7.3	The contribution that any replacement building might make to the vitality and vibrancy of the Feilding Town Centre.
HH-P8	To ensure that external additions and alterations to significant historic built heritage are of a form, mass, scale, proportion and colour and use materials that are compatible with the original built heritage and do not detract from, compete with or dominate the heritage values for which the heritage item is significant.	
HH-P9	To ensure that any signage located on significant historic built heritage is of a size, location, colour and style that is compatible with the character of the heritage item and does not detract from, compete with or dominate the heritage values for which the heritage item is significant.	
HH-P10	To enable external alterations to, or the removal of <i>non-contributing parts of heritage buildings</i> listed in HH-SCHED2 where the changes do not impact negatively on the heritage values of the item listed in HH-SCHED2. [PCH(a)]	
HH-P11	To only allow relocation of heritage items listed in HH-SCHED2 where it can be demonstrated that:	
	HH-P11.1	The relocation is necessary to save the heritage item and protect the heritage values from the threat of, or damage from natural hazards; or
	HH-P11.2	The relocation will protect the heritage values and significance of the heritage item identified in HH-SCHED2, as confirmed by a suitably qualified heritage expert. [PCH(a)]
HH-P12	To ensure that those <i>natural areas</i> and ecosystems which are important parts of the District's <i>environment</i> are protected and enhanced.	

HH-P13	To expand the level of information which is currently available and the level of knowledge which people have about heritage places.
HH-P14	To help preserve and improve public access to the Ruahine Forest Park and other appropriate heritage places.
HH-P15	To encourage the retention and voluntary protection of areas of indigenous vegetation and habitats other than those listed as significant.

Rules

Rules in this chapter apply District-wide and the chapter needs to be read in conjunction with the District Plan maps, relevant appendices and provisions of the applicable *zone* to determine if an activity involves the use or modification of historic heritage resources.

Guidance Note [PCH(a)]:

1. Demolition of any heritage item listed in HH-SCHED2 which pre-dates 1900 requires an Archaeological Authority under the Heritage New Zealand Pouhere Taonga Act (2014). It is an offence to modify or destroy an archaeological *site* or demolish/ destroy a whole *building* if the person knows or reasonably suspects it to be an archaeological *site*. An archaeological *site* is any place, including any *building* or structure (or part of), that:
 - was associated with human activity or the *site* of a wreck of a vessel that occurred before 1900; and
 - provides or may provide, through archaeological investigation, evidence relating to the history of New Zealand.

Permitted Activities (PER)

The following are *permitted activities* in all zones provided that they comply with the standards HH-ST1 to HH-ST6 below:

HH-R1	Management of the water level of areas listed in HH-APP1 (Wetlands etc.) if approved by the <i>Regional Council</i> . ^{MWRC}
HH-R2	Any activities in respect of a place listed in HH-APP1, HH-APP2 (Wetlands etc., Significant <i>Indigenous Forest/Vegetation</i>) which are consistent with a <i>legal covenant</i> applying to that place. [PC65]

HH-R3	Animal pest and plant pest control, provision of walking tracks or supplementary planting of native species, within places listed in HH-APP1 and HH-APP2 provided that any such work in Category A places is under <i>Council</i> supervision. ^{MWRC} [PC65]	
HH-R4	Maintenance, and minor repair of any <i>significant historic built heritage</i> .	
HH-R5	Partial or complete demolition of any <i>significant historic built heritage</i> where the work is necessary to make the <i>site</i> safe after an accidental fire, flooding or earthquake event.	
HH-R6	<i>Additions and alterations</i> to the interior of any <i>significant historic built heritage</i> in HH-SCHED1 and HH-SCHED2. [PCH(a)]	
HH-R7	<i>Seismic strengthening</i> of any <i>significant historic built heritage</i> .	
HH-R8	The construction of new <i>buildings</i> and <i>additions and alterations</i> to existing <i>buildings</i> at the Feilding Saleyards located at ALL DP 3797 ALL DP 6178 LOTS 145 152 153 154 PT LOT 146 DP 19.	
HH-R9 [PCH(a)]	Minor external alterations to heritage items in HH-SCHED2 that are associated with:	
	HH-R9.1	Security alarms
	HH-R9.2	Security lighting
	HH-R9.3	Any <i>attachment</i> that is not visible from a road or public space, excluding signage
HH-R10 [PCH(a)]	Signage located on significant historic built heritage identified in HH-SCHED2.	
HH-R11 [PCH(a)]	External alterations to, or the removal of non-contributing parts of a heritage building listed in HH-SCHED2. Guidance note: Plan users are advised to refer to the relevant heritage reports referenced in HH-SCHED2 that are available from Council on request. These reports provide greater details on heritage values than what is provided in HH-SCHED2.	

HH-R12	Maintenance and burial activities and provision of ancillary facilities such as parking areas, within the cemeteries listed in HH-SCHED4.
HH-R13	Modification or destruction of the archaeological sites listed in HH-SCHED4. (NB: Authority from Heritage New Zealand Pouhere Taonga is required for this activity)

Standards for Permitted Activities

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

HH-ST1	Maintenance and Minor Repair: Any <i>maintenance and minor repair</i> must be undertaken using original <i>replacement</i> material. Where original replacement material is not available, the replacement must be of the same or similar material, colour, texture, form and design as the original.		
HH-ST2	Demolition: The partial or complete demolition of any <i>significant historic built heritage</i> in HH-SCHED1, to make a <i>site</i> safe after an accidental fire, flooding or earthquake event must appropriately mitigate the <i>effects</i> of vacant land in accordance with the underlying zoning rules. Guidance note: for significant historic built heritage listed in HH-SCHED2 [PCH(a)]: Where it is safe to do so, the Council encourages the taking of photographs of the heritage item that is subject to partial or complete demolition and to submit this photographic record to the Council. The purpose of the photographic record is to provide a record of the historic heritage values that were important to the Manawatū District.		
HH-ST3	Seismic Strengthening: <i>Seismic strengthening</i> is a <i>permitted activity</i> only where the strengthening work does not: <table> <tr> <td>HH-ST3.1</td><td>Result in structural alterations to the external appearance of the <i>building</i></td></tr> </table>	HH-ST3.1	Result in structural alterations to the external appearance of the <i>building</i>
HH-ST3.1	Result in structural alterations to the external appearance of the <i>building</i>		

	HH-ST3.2	Result in any existing openings (doors and/or windows) being obstructed
HH-ST4	Feilding Saleyards External <i>additions and alterations</i> and new <i>buildings</i> constructed at the Feilding Saleyards must comply with the development standard for the underlying Mixed Use Zone in MUZ-ST1 to MUZ-ST15.	
HH-ST5 [PCH(a)]	Signage on significant historic built heritage contained in HH-SCHED2 – compliance with SIGN-R1, SIGN-R2 and SIGN-ST1 – SIGN-ST3.	
HH-ST6 [PCH(a)]	Non-contributing parts of heritage buildings External alterations to <i>non-contributing parts of heritage buildings</i> listed in HH-SCHED2 must not result in any increase to the height and footprint of the non-contributing part of the building.	

Restricted Discretionary Activities (RDIS)

HH-R14 [PCH(a)]	External <i>additions and alterations</i> to <i>significant historic built heritage</i> in HH-SCHED2 where:	
	HH-R14.1	Minor external alterations that do not meet HH-R9 for Category A and B items in HH-SCHED2
	HH-R14.2	External <i>alterations and additions</i> to any Category B <i>significant historic built heritage</i> listed in HH-SCHED2
	Matters of Discretion (MD) The matters of discretion are restricted to:	
	HH-MD1	How the works retain existing heritage values of the heritage item listed in HH-SCHED2.
	HH-MD2	Reversibility of the works
	In addition to HH-MD1 and HH-MD2, the following additional matter of discretion is relevant to HH-R14.2:	

	HH-MD3	Any opportunities to enhance the heritage values of the heritage item.
HH-R15 [PCH(a)]	Relocation on the same <i>site</i> , of any Category B heritage item listed in HH-SCHED2.	
	Matters of Discretion (MD)	
	The matters of discretion are restricted to:	
	HH-MD4	Whether the relocation is necessary due to threats to the heritage item from natural hazards.
	HH-MD5	Opportunity to enhance the heritage values of the heritage item.
	HH-MD6	Measures to minimise the risk of damage to the historic heritage item listed in HH-SCHED2.
HH-R16 [PCH(a)]	Where compliance is not achieved with:	
	HH-R16.1	HH-S1, HH-S3 and HH-S6 for heritage items listed as Category B in HH-SCHED2, or
	HH-R16.2	HH-S1 or HH-S6 for <i>significant historic built heritage</i> items listed as Category A in HH-SCHED2.
	Matters of Discretion (MD)	
	For HH-R16, the matter of discretion is restricted to:	
	HH-MD7	Degree of non-compliance with the particular performance standards that the proposed works fails to meet in relation to the relevant heritage values listed in HH-SCHED2.

Discretionary Activities (DIS)

The following shall be *discretionary activities* in all zones:

HH-R17	Clearing, spraying, felling or burning vegetation (except <i>plant pests</i>) in Category A or B places listed in HH-APP1 (Wetlands etc). ^{MWRC}
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HH-R18	Drainage, reclamation or excavation of Category B places listed in HH-APP1. MWRC
HH-R19	Constructing permanent structures for birdwatching etc within Category A or B places listed in HH-APP1.
HH-R20	Clearing, spraying, felling, burning or otherwise damaging areas listed as Category B in HH-APP2. (Significant <i>Indigenous Forest/Vegetation</i>). ^{MWRC} [PC65]
HH-R21	Extracting dead or damaged trees within areas listed as Category A in HH-APP2 (Significant <i>Indigenous Forest/Vegetation</i>).
HH-R22	Selectively felling trees within areas listed as Category B in HH-APP2, provided that the sustainable management provisions of the Forests Act 1949 are met.
HH-R23	Allowing domestic animals to graze areas listed as Category B in HH-APP2 .
HH-R24	External <i>additions and alterations</i> to any Category B <i>significant historic built heritage</i> listed in HH-SCHED1 [PCH(a)].
HH-R25	Any activity for <i>significant historic built heritage</i> listed in HH-SCHED1 that does not comply with HH-S1, HH-S2, HH-S3, HH-S4. [PCH(a)].
HH-R26	Partial or complete demolition of any Category B <i>significant historic built heritage</i> .
HH-R27	Relocation on the same site, of any Category A or B <i>significant historic built heritage</i> listed in HH-SCHED1 and Category A heritage item listed in HH-SCHED2. [PCH(a)]
HH-R28	Relocation to another <i>site</i> , of any Category B <i>significant historic built heritage</i> .
HH-R29	<i>Seismic strengthening</i> that does not meet the performance standards for a permitted activity listed in HH-SCHED1, and Category A items in HH-SCHED2. [PCH(a)].
HH-R30	Any activity not provided for in relation to Category B heritage items in HH-SCHED2. [PCH(a)]

Assessment Criteria (AC)

In determining whether to grant a resource consent and what conditions to impose, the *Council* will, in addition to the objectives and policies of Chapter 4 – Heritage Heritage, assess any application for buildings listed in Schedule 4a in terms of the following assessment criteria [PCH(a)]:

HH-AC1	Whether the application demonstrates compliance with any relevant design guidelines.
HH-AC2	Whether the application will result in any adverse <i>effects</i> on <i>streetscape</i> character.

Non-Complying Activities (NC)

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

HH-R31	Drainage, reclamation or excavation of Category A places listed in HH-APP1 (Wetlands etc). ^{MWRC}
HH-R32	Clearing, spraying, felling, burning or otherwise damaging, including by stock damage, any areas listed as Category A in HH-APP2 (Significant <i>Indigenous Forest/Vegetation</i>). ^{MWRC} [PC65]
HH-R34	Partial or complete demolition of Category A <i>significant historic built heritage</i> .
HH-R35	Relocation of any Category A <i>significant historic built heritage</i> to another <i>site</i> .
HH-R36	External <i>additions and alterations</i> to any Category A <i>significant historic built heritage</i> .
HH-R37	Any activity that is not specifically provided for as a <i>permitted, restricted discretionary, or discretionary activity</i> is a <i>non-complying activity</i> .
HH-R38	Disturbance of graves or grave markers in the cemeteries listed in HH-SCHED4.

Explanation

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

There are many agencies or parties which are involved in identifying and protecting heritage places. They include the QE II National Trust, HNZPT, the Department of Conservation, the Māori Heritage Council, the NZ Archaeological Association, the Geoscience Society of NZ, local community and heritage groups, Mainstreet Programmes, and land/building owners. The methods which they use include education, voluntary agreements, covenants with landowners, a variety of different statutes, and land ownership and purchase.

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

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

This District Plan provides an avenue and process for possible legal protection. Council may initiate heritage orders for some specific places, but the main instrument for protection will be District Plan rules. Adequate protection for archaeological sites is already provided by the authority process which applies under the Historic Places Act 1993. This process is administered by Heritage New Zealand. Recorded archaeological sites within the District are identified in HH-SCHED4 primarily for public information. All applications for resource consent will however need to consider any impacts on heritage places, including archaeological sites.

Each heritage place on the District Plan’s list has been identified as being Category A or B (Refer: HH-SCHED1 and HH-SCHED2). Category A confers the highest level of protection, since destroying these places is a non-complying activity. Some modification is allowed, but Council may impose conditions on the manner in which it is done.

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

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

As noted above, clearance of certain amounts of certain types of indigenous vegetation will require resource consent, so that the value of that habitat can be assessed. The significance criteria in HH APP3 will be used for this purpose. If an area is deemed significant, it does not automatically imply that activities are unable to take place, but rather that Council is required to exercise its statutory obligations and may place controls on an activity in order to ensure that adverse effects are avoided, remedied or mitigated. The Plan's rules permit activities with only minor adverse effects. For example, the clearance of young manuka scrub or small areas of indigenous forest and wetland are permitted activities.

A setback distance of 50 metres between plantation forestry in the coastal area and the significant wetlands listed in HH APP1 is also proposed. The reason for this is that adjacent tree plantations can have an adverse effect on the ecology of such wetlands due to impacts such as lowering the local water table.

[DELETED PCI]

DISTRICT WIDE MATTERS

TREE – Notable Trees

[Inserted PCH(b)]

TREE-SCHED1 - Notable Trees Schedule

Tree 1

BOTANICAL NAME; COMMON NAME	LOCATION	LEGAL DESC	COORDINATES	NO. OF TREES
Sequoia sempervirens; Coast Redwood	11 South Street, Feilding	Lot 2 DP 23413	-40.22904, 175.55735	1
Description of Values A large coastal redwood located at the front garden close to footpath, and over 100 years old. Tree is approximately 30 metres in <i>height</i> and crown spread 10.7 metres. A locally prominent feature.				

Tree 2

BOTANICAL NAME; COMMON NAME	LOCATION	LEGAL DESC	COORDINATES	NO. OF TREES
Quercus robur; European oaks	19 Pharazyn Street, Feilding	Lot 1 DP 26061	-40.2148, 175.58412	2
Description of Values				

Pair of European oaks located in the front garden next to footpath. Trees are at approximately 19 metres (easterly tree) and 17 metres (westerly tree) in *height*, with a crown spread of 22 metres (both trees combined). A locally prominent feature.

Likely to have been planted by Mr W Sandilands, Mayor of Feilding in 1890s.

Tree 3

BOTANICAL NAME; COMMON NAME	LOCATION	LEGAL DESC	COORDINATES	NO. OF TREES
Quercus robur; Common Oak	Manfeild Park, Feilding	Lot 6 DP 449245	-40.234371, 175.559787	1
Description of Values Located in the landscaped open area next to sports centre. Large wide spreading attractive and highly visible tree. This tree is approximately 18 metres in <i>height</i> with a crown spread of 21.7 metres. This is Manfeild Park's oldest tree and is around 110 years old. The tree is likely to have been planted to provide shade over a blacksmith's workshop as part of the horse racing course that subsumed into the general property.				

Tree 4

BOTANICAL NAME; COMMON NAME	LOCATION	LEGAL DESC	COORDINATES	NO. OF TREES
Quercus rubra; Red Oak	3 Ranfurly Road, Feilding	Lot 1 DP 42079	-40.22624, 175.55563	1
Description of Values ~~Located on the east side of garden, close to neighbour's fence. The tree is approximately 22 metres in <i>height</i> and a crown spread of 18.7 metres. A large specimen tree with a wide spread.~~				

[DELETED PCI]

Tree 5

BOTANICAL NAME; COMMON NAME	LOCATION	LEGAL DESC	COORDINATES	NO. OF TREES
Acacia melanoxylon; Australian blackwood	2b Pines Court, Feilding	Lot 1 DP 83562	-40.22718, 175.56069	1
Description of Values Located at front of garden adjacent and close to footpath. This tree is approximately 18 metres in <i>height</i> with a crown spread of 17.4 metres. This tree is a wide spreading tree and over 100 years old.				

Tree 6

BOTANICAL NAME; COMMON NAME	LOCATION	LEGAL DESC	COORDINATES	NO. OF TREES
Sequoiadendron giganteum; Wellingtonia/Giant sequoia	28 Kimbolton Road, Feilding	Lot 10 DP 49736	-40.22734, 175.56079	1
Description of Values Located at the rear of 28 Kimbolton Road. This tree is approximately 28 metres in <i>height</i> with a crown spread of 13.8 metres. Planted by Mr Halcombe or family around 1870's, who was an early founder of Feilding. A locally prominent feature.				

Tree 7

BOTANICAL NAME; COMMON NAME	LOCATION	LEGAL DESC	COORDINATES	NO. OF TREES
Magnolia grandiflora; Southern magnolia	28 Kimbolton <i>Road</i> , Feilding	Lot 10 DP 49736	-40.2274, 175.56094	1
Description of Values Located at the rear garden of 28 Kimbolton <i>Road</i> , close to fence and overhanging drive. This tree is approximately 14.6 metres in <i>height</i> , with a crown spread of 13 metres. This tree is likely to have been planted by Halcombe family in late 1800's, early founders of Feilding.				

Tree 8

BOTANICAL NAME; COMMON NAME	LOCATION	LEGAL DESC	COORDINATES	NO. OF TREES
Magnolia campbellii; Magnolia campbellii Hybrid	McLaren Street, Waituna West	Road Reserve	-40.04023, 175.63804	1
Description of Values This tree is located on the former Waituna West Hall <i>site</i> , on the road reserve of McClaren Street. This tree is over 100 years old and approximately 20.7 metres in <i>height</i> , with a crown spread of 19 metres. This tree is a large, infrequently found tree and a good specimen.				

DISTRICT-WIDE MATTERS

SUB – Subdivision

All Zones

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

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

Effects Of Subdivision

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

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

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

Subdivision policies affect land values. If there is a shortage of particular types of blocks, inflated prices may result. A property's potential for subdivision may also raise its value (and rates)

thereby influencing the owner to subdivide it. One way to minimise value anomalies is to give all landowners an equal opportunity to subdivide. This is not possible, however, if the Plan is to meet *the Act's* aims. Varying opportunities will for example result from this Plan's policy of treating subdivision of versatile land differently to other land.

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

Maewa (Growth Precinct 4)

Subdivision and subsequent land development often involves land disturbance, vegetation removal, and changes to the natural and physical environment. Subdivision is a process that enables future land use activities to establish that may not otherwise be allowed in some areas, such as additional *residential units* in urban or rural areas. Once subdivision has occurred, certain expectations for the use and development of that land often become apparent.

The *effects* of subdivision include:

1. Changing ground levels that alter run-off patterns and natural hazards
2. *Effects* on existing natural hazards
3. Additional demands on capacity of *essential infrastructure* (network infrastructure), existing private services and physical construction
4. *Effects* on natural character, natural resources, water quality
5. *Effects* on cultural and heritage *sites*, Tangata Whenua values
6. *Effects* on existing character and *amenity values*
7. Loss of productive land
8. *Effects* on the safe and efficient functioning of the roading network, including additional vehicle accesses, traffic flows and patterns, *road* safety and the efficient movement of traffic.

Section 11 of *the Act* was amended in 2017 so that subdivision is now permitted unless expressly restricted by rules in the District Plan or a national environmental standard. This is consistent with the presumption that land use is permitted, unless restricted under Section 9 of *the Act*.

This chapter should be read along with the relevant zoning provisions in Infrastructure, Transport, Noise, Earthworks, Signs, Temporary Activities, Relocated Buildings, Boarding Kennels, and the provisions in the GRZ – General Residential Zone.

The *Council's* Engineering Standards should also be referred to when considering subdivision of land within the District.

The rules in this subdivision chapter are divided into two main sections:

- Subdivision and development provisions for zones other than *Maewa (Growth Precinct 4)*, and
- Subdivision and development provisions for *Maewa (Growth Precinct 4)*.

Issues

All Zones

~~GEN-13, GEN-14, GEN-16, GEN-17, GEN-18, GEN-111~~

Issues – ~~Maewa (Growth Precinct 4)~~

~~SUB-MAE-11~~	~~Limitations on growth in Feilding and other centres in the District due to natural hazards, topography and natural and physical features, effluent disposal and infrastructure provision.~~
~~SUB-MAE-12~~	~~Recognition of natural hazards in the design and implementation of subdivisions, including subsequent land use.~~
~~SUB-MAE-13~~	~~The need to restrict unplanned urban expansion into rural areas which affects rural productivity, amenity, character, the natural environment and resulting land uses.~~
~~SUB-MAE-14~~	~~The need to control Feilding's growth, while providing for a variety of lot sizes for residential.~~
~~SUB-MAE-15~~	~~Uncoordinated and inefficient provision of infrastructure and the effects on urban form when development is unplanned.~~
~~SUB-MAE-16~~	~~The need to provide sufficient residentially zoned land to provide for future growth projections.~~

SUB-MAE-17	The need for new developments within <i>Maewa (Growth Precinct 4)</i> to be in accordance with any relevant structure plan and be appropriately staged to ensure the integrated provision of infrastructure at the earliest stage of development.
SUB-MAE-18	The need for connectivity between staged developments and surrounding residentially zoned land.
SUB-MAE-19	The transition of land between existing rural use and future residential use following changes in zoning and creation of new <i>reverse sensitivity</i> issues while the area is developed in the future.

[DELETED PCI]

Objectives

Objectives - All Zones Except Maewa (Growth Precinct 4)

SUB-O1	Impact upon rural soils To protect the life-supporting capacity of the District's rural soils, particularly the versatile land, and to maintain the opportunity for them to be used for a wide range of options in the future. (Refer also: GRUZ-O1)
SUB-O2	Rural separation distances To have rural allotments which allow satisfactory separation between ~~dwellings~~ <u>residential units</u> and neighbouring activities. (Refer also: GRUZ-O3, GRUZ-O4). [PCI]
SUB-O3	Landscape appearance and character To maintain a distinct difference in landscape appearance and character between urban and rural areas. (Refer also: GRUZ-O2, GRZ-O1, SETZ-O2)
SUB-O4	Water supply, stormwater, and farm drainage To avoid the potential <i>effects</i> of unserviced subdivision upon the District's residents by ensuring that water supply, stormwater disposal and farm drainage needs are taken into account. (Refer also: FIN-O1, EWA-O3)

SUB-05	Domestic effluent disposal To ensure that domestic effluent from new allotments can be adequately disposed of without creating water quality or odour and health problems. (Refer also: EWA-03).
SUB-06	Natural Hazards To ensure that the potential risk to future <i>buildings</i> from natural hazards is considered for each new allotment. (Refer also: NH-01, NH-02).
SUB-07	Traffic safety and efficiency To ensure that new driveways or roads resulting from subdivision do not unduly detract from traffic safety and efficiency. (~~GEN-14 and GEN-112~~) (Refer also: SUB-08). [DELETED PCI]
SUB-08	Urban growth To provide for urban growth that adjoins existing <i>urban areas</i> and manage that growth to avoid, remedy or mitigate adverse <i>effects</i> through the design of safe, integrated infrastructure networks and the efficient use and development of land. (Refer also: GRUZ-01, SUB-01, NH-01, NH-02, INF-01, INF-02).
SUB-09	Urban Neighbourhoods To develop useful, attractive and sustainable urban neighbourhoods where (Refer also HH-01, GRUZ-01, GRZ-02, EWA-05, INF-01, INF-02):
	SUB-09.1 A range of lot sizes and housing types can be developed, in accordance with the existing character and context of each area.
	SUB-09.2 People have maximum accessibility to each other using vehicular and non-vehicular (pedestrian and cycling) transport networks to neighbourhood centres and reserves which provide for their needs.
	SUB-09.3 Public health and safety is promoted through good design of local streets, neighbourhood centres and reserves to ensure easy access and connectivity.
SUB-09.4	Development is not achieved at the expense of significant adverse <i>effects</i> on rural character that is the backdrop to the Feilding township, the <i>National Grid</i>, natural topography, open space and gully systems.

	SUB-O9.5	New <i>urban areas</i> establish an identity that is based on positive elements of Feilding’s established urban character and amenity, and recognise and maintain the ecological, cultural and historic heritage values of the <i>site</i> and surrounding area.
	SUB-O9.6	Urban land is developed and used effectively ensuring larger residential lots retain the potential for planned and well-designed intensification.
	SUB-O9.7	Utility services are strategically developed to ensure a sustainable, efficient and cost effective network is built to meet the needs of current and future development.
	SUB-O9.8	Public safety is maintained through good subdivision design that avoids or mitigates identified natural hazards.
SUB-O10	Urban Allotments To create urban lots that have a size and shape that enables urban use.	
SUB-O11	Fragmentation Of Natural Areas and River Channels To avoid adverse <i>effects</i> on the natural values of streams, lakes, wetlands, the coastal area and <i>indigenous forest</i> areas arising from fragmentation of land ownership. (Refer also: HH-O1, HH-O5, ER-O4, EWA-O3)	

Objectives – Maewa (Growth Precinct 4)

SUB-MAE-O1	The following urban design outcomes are achieved for <i>Growth Precinct 4</i> :	
	SUB-MAE-O1.1	A well-integrated and coordinated development that creates strong connectivity between new and existing development.
	SUB-MAE-O1.2	Connectivity with existing infrastructure and transportation networks is achieved.
	SUB-MAE-O1.3	Subdivision design that recognises and responds to the topographical and physical features of the land, including waterbodies.
	SUB-MAE-O1.4	A range of residential densities.

	SUB-MAE-O1.5	Efficient utility services are provided including roading, reticulated wastewater, water supply, stormwater networks and power and <i>telecommunication</i> networks.
	SUB-MAE-O1.6	Neighbourhood focal points which provide meeting points within the precinct.
	SUB-MAE-O1.7	Open space networks that comprise stormwater attenuation networks, a range of recreation opportunities and stream side esplanade reserves all designed in consultation with tangata whenua so that ancestral connections to that water body and its margins are appropriately recognised and provided for.
	SUB-MAE-O1.8	Areas identified as high risk for flooding hazards and stormwater inundation hazards are avoided or managed to minimise the risk of damage to property or human life.
SUB-MAE-O2	An attractive and sustainable urban neighbourhood is achieved for <i>Maewa (Growth Precinct 4)</i> .	
SUB-MAE-O3	In the development of <i>Maewa (Growth Precinct 4)</i> the potential risk to people and <i>buildings</i> from natural hazards and stormwater inundation is managed.	
SUB-MAE-O4	A comprehensive spatial layout and an efficient and well integrated infrastructure network is delivered for <i>Maewa (Growth Precinct 4)</i> .	

Policies

Policies - All Zones Except Maewa (Growth Precinct 4)

Impact upon rural soils

SUB-P1	To ensure that the life-supporting capacity of the District's rural soils, and future options for the use of that soil, are not compromised by the <i>effects</i> of subdivision and subsequent development, including soil compaction, contamination and removal, and fragmentation of ownership.
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SUB-P2	To minimise the amount of versatile land which is converted to urban use. (Refer also: SUB-P24)	
Rural separation distances		
SUB-P3	To establish separation distances which are sufficient to mitigate any adverse environmental <i>effects</i> of rural and domestic activities and rural industries (such as noise, dust or odour nuisances) upon nearby <i>residential activities</i> .	
SUB-P4	To seek a realistic level of amenity for rural residents, given the potential for adverse environmental <i>effects</i> from the types of activities that are found in the <i>zone</i> . (Refer: GRUZ-O2, GRUZ-P6 to GRUZ-P10, GRUZ-O3, GRUZ-O4, and GRUZ-P11 to GRUZ-P17)	
Landscape appearance and character		
SUB-P5	To ensure that any adverse <i>effects</i> of rural subdivision upon the existing character and amenities of the General Rural <i>zones</i> are avoided, remedied or mitigated.	
SUB-P6	To enable some small-lot subdivision (i.e. down to around 4000 m ² in area), in identified rural and peri-urban localities which already have the character of a settlement and where such subdivision would be compatible with the amenities of the area.	
Water supply, stormwater, and farm drainage		
SUB-P7	To require available water and stormwater connections for new residential allotments to be paid for as a condition of subdivision approval.	
SUB-P8	To require rural subdividers to demonstrate:	
	SUB-P8.1	What provision if any has been made for farm drainage for new allotments.
	SUB-P8.2	That provision has been made for water supply to new allotments.
SUB-P9	To preserve legal access for drainage from new allotments where appropriate, as well as practical access for drain clearance. (Refer also: ER-P12)	

SUB-P10	To advise subdividers in rural water supply scheme areas that access to water will be at the discretion of the supply authority.
SUB-P11	To advise rural water supply authorities about subdivision proposals in their areas.
SUB-P12	To require appropriate stormwater disposal if a subdivision is for an activity which would involve large areas of impervious surfaces.

Domestic effluent disposal

SUB-P13	To ensure that all new allotments in sewerage areas are connected to the sewerage system.
SUB-P14	To require that all effluent in unsewered areas be satisfactorily disposed of within the allotment concerned, or via an approved communal effluent disposal system.
SUB-P15	To require that any proposed communal disposal includes permanent arrangements for future maintenance, operation and <i>replacement</i> of that system.

Natural Hazards

SUB-P16	To require that each proposed allotment has at least one <i>building site</i> (including effluent disposal area and suitable vehicular access) which is not prone to natural hazards, unless <i>Council</i> is satisfied that no ~~<i>dwelling</i>~~ <i>residential unit</i> will be required on the allotment. [PCI]
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Traffic safety and efficiency

SUB-P17	To ensure that all new allotments have an available entrance point with satisfactory visibility.
SUB-P18	To implement controls which meet the need to maintain the safety and efficiency of arterial traffic routes, including the use of shared entranceways wherever possible.

SUB-P19	To ensure that vehicle crossings resulting from subdivisions are combined wherever possible.
SUB-P20	To require formation of joint driveways and entranceways to certain standards at the subdivision stage.
SUB-P21	To require other entranceways to be formed at the <i>building</i> consent stage.
SUB-P22	To ensure that legal streets are created instead of rights-of-way if warranted by the potential traffic.
SUB-P23	To discourage ribbon development along arterial routes.

Urban growth

SUB-P24	Ensuring that any proposal for extension of the General Residential or Settlement zoning of the District's existing townships takes into account:	
	SUB-P24.1	Any increased risk to people and property from natural hazards, including the possibility of sea level rise in the case of Himatangi Beach and Tangimoana.
	SUB-P24.2	The potential impact of urban growth on the natural character, qualities and features of the coastal <i>environment</i> .
	SUB-P24.3	Any significant and permanent adverse impact upon the life-supporting capacity of the District's soil resource, or upon options for its future use, which would arise from converting the land concerned to urban use.
	SUB-P24.4	The need for new growth areas around existing townships to be provided with utility services, at the developers expense, so that water supply and effluent and stormwater disposal issues and energy networks are addressed. (Refer Also: FIN-Financial Contributions chapter (Utilities section), and FIN-P8 to FIN-P13)

	SUB-P24.5	The efficient use and development of <i>natural and physical resources</i> , such as land, energy and the transport network, including the degree to which <i>infill</i> development is possible in the existing General Residential or Settlement zone.
	SUB-P24.6	The neighbourhood amenities and level of access to facilities which are likely to be available to residents in the new urban growth areas.
	SUB-P24.7	The need to avoid ribbon development along arterial routes for traffic safety and efficiency reasons.
	SUB-P24.8	Any significant adverse impacts upon the rural area, including its character and amenity, any significant habitats of indigenous fauna, and its intrinsic, ecological, or heritage values or cultural significance.
	SUB-P24.9	The presence of any existing land uses which may not be compatible with a new residential neighbourhood.
SUB-P25	Identifying land suitable for new urban development, and where existing infrastructure requires upgrading to provide for new urban development, defer and stage this development until the required upgrading of infrastructure has occurred.	
SUB-P26	Providing for subdivision and development in the <i>Growth Precincts</i> in Feilding in accordance with Structure Plans and the Subdivision Design Guide to achieve the following outcomes:	
	SUB-P26.1	Development is well integrated and coordinated
	SUB-P26.2	Development recognises and responds to the topographical and physical features of the land
	SUB-P26.3	Short and anticipated long term growth demands are met

	SUB-P26.4	Good connections are made with existing infrastructure and transportation networks, taking account of the capacity limitations of these networks and any potential requirements for upgrading capacity to meet future demands
	SUB-P26.5	Certainty is provided on the location and pattern of development, including key roading linkages and infrastructure to meet future requirements
	SUB-P26.6	A range of residential densities are provided, including larger lots which can be intensified in the longer term
	SUB-P26.7	A logical roading network delivers strategic <i>Collector Roads</i> between existing and future <i>urban areas</i> and a street network of <i>Local Roads</i> that provide accessible residential areas
	SUB-P26.8	Efficient utility services are provided including reticulated waste water, water supply, stormwater networks and energy networks, that are in accordance with identified growth demands
	SUB-P26.9	Neighbourhood focal points (such as local parks, shops or <i>community facilities</i>) provide meeting points and centres for individual neighbourhoods within a precinct;
	SUB-P26.10	Open space networks that comprise stormwater attenuation networks, a range of recreation opportunities, stream side esplanade reserves, and where appropriate, environmental protection corridors
	SUB-P26.11	Areas identified as high risk for flooding and potential seismic hazards are avoided
	SUB-P26.12	Subdivision and development is designed and located to avoid adverse <i>effects</i> on, and from, the operation, access, maintenance or upgrade of the <i>National Grid</i> .
SUB-P27	Preventing urban greenfield development in the rural environment outside of the identified <i>Growth Precincts</i> around Feilding, and subdivision and	

	development not in accordance with the desired outcomes of the Structure Plans.		
Urban neighbourhoods			
SUB-P28	Requiring subdivision designs and layouts which provide for the following:		
	SUB-P28.1	New development that is integrated with the existing environment by:	
		SUB-P28.1.a	Recognising the character and <i>amenity values</i> of any surrounding residential, rural and industrial areas.
		SUB-P28.1.b	Defining the urban boundary and avoiding, remedying and mitigating adverse <i>reverse sensitivity effects</i> on adjoining General Rural Zone properties through buffer areas.
		SUB-P28.1.c	Identifying natural features, open space (local purpose reserves, esplanade reserves, environmental protection areas) and land too steep for development and integrating development around these areas.
		SUB-P28.1.d	Residential densities that reflect a range of residential opportunities, and are positioned so there is a logical extension from existing <i>urban areas</i> , as well as responding to the topography and physical features of the <i>site</i> .
		SUB-P28.1.e	Designs which foster neighbourhood identity, using positive characteristics from established <i>urban areas</i> and also reflecting the cultural, heritage and natural values of the <i>site</i> and surrounding area.
		SUB-P28.1.f	Identifying nationally and regionally significant infrastructure and avoiding adverse <i>effects</i> on and from that infrastructure.
	SUB-P28.2	Flood hazard and potential seismic hazard areas are identified and the subdivision is managed so that areas of high risk are	

		avoided, and all residual risk is mitigated through design of the subdivision and future development.
	SUB-P28.3	Effective roading connections between existing, new and future development, to maximise accessibility between different <i>urban areas</i> .
	SUB-P28.4	A network of local streets for each <i>urban area</i> which allows convenient vehicle access to individual properties, to local shops, reserves and coordinates with the <i>Collector Roads</i> to move traffic between the housing areas and town centre.
	SUB-P28.5	<i>Road</i> design reflects the function and use of the <i>road</i> type, including provision for vehicular and non-vehicular (pedestrian and cycling) transport modes and provides an appropriate level of amenity.
	SUB-P28.6	Through roads and streets are required rather than the use of cul-de-sacs, in order to maintain a high level of accessibility in the local street network, while recognising some topographical features may lead to the use of cul-de-sacs or accessways.
	SUB-P28.7	Block layouts that ensure individual lots have <i>road</i> frontage, where larger residential lots have sufficient width of frontage to ensure future intensification can occur and future lots will continue to have <i>road</i> frontage.
	SUB-P28.8	Lots are positioned to allow efficient resource use, where the access to heat and energy from solar energy is maximised, on-site stormwater collection, attenuation and discharge is provided, including, room for water tanks.
	SUB-P28.9	Access to open space and recreation areas is provided in a way that is strategically connected to adjoining <i>urban areas</i> .
	SUB-P28.10	Pedestrian and cycle access is provided as a network of on- <i>road</i> and offroad cycle and walk ways which contribute to the amenity and connectivity within the wider <i>urban area</i> .
	SUB-P28.11	Ensure each neighbourhood has a focal point that provides a place for <i>community facilities</i> local reserves and local shops.

SUB-P29	Encouraging <i>infill</i> subdivisions, within servicing constraints, with reference to suitability of the contour of the land, and where the shape and size of the subject lot enables good quality living environments to result as described in the Subdivision Design Guide.
SUB-P30	For subdivisions in any of the Structure Plan <i>Growth Precincts</i> , to require subdivision designs and layouts which implement the relevant Structure Plan, the roading hierarchy and <i>road</i> type in TR - APP1 and incorporate the guiding principles of the SUB-APP5 – Subdivision Design Guide.

Urban Allotments

SUB-P31	Requiring subdividers to prove that small urban allotments (i.e. under 500m ² in area) have sufficient useable room to be developed under the Plan for a permitted land use, having regard to the <i>building</i> regulations and the Plan's performance standards.
SUB-P32	Encouraging flexibility for future intensification of new large residential allotments (i.e. 2,000m ² in area, and greater), so they can be effectively developed in the future to a standard residential density (800m ²) and with a good quality of urban environment resulting, including <i>road</i> frontage.

Fragmentation of Natural Areas and River Channels

SUB-P33	To ensure that the natural values of <i>indigenous forest</i> areas, lakes, the coastal area, and significant <i>wetlands</i> , including significant habitats of indigenous fauna, are not adversely affected by fragmentation of ownership arising from subdivision.
SUB-P34	To recognise the potential <i>effect</i> of subdivision of riverside land upon the management and natural values of the waterway concerned.

Policies – Maewa (Growth Precinct 4)

SUB-MAE-P1	Subdivision and development within <i>Maewa (Growth Precinct 4)</i> is directed by a structure plan that identifies:	
	SUB-MAE-P1.1	Key transportation connections.

	SUB-MAE-P1.2	Open Space and recreational opportunities.
	SUB-MAE-P1.3	Shared pathways, including cycleways and walkways.
	SUB-MAE-P1.4	Hazard areas.
	SUB-MAE-P1.5	Stormwater detention areas following overland flow paths.
SUB-MAE-P2	To ensure all proposed lots are designed to achieve good urban design outcomes with connected outdoor living spaces, sunlight to <i>habitable rooms</i> , and <i>onsite</i> privacy.	
SUB-MAE-P3	To control intensive residential subdivision and development of land.	
SUB-MAE-P4	To avoid fragmented patterns of subdivision and development that is inconsistent with the integrated <i>planned development</i> shown in SUB - APP1 <i>Maewa (Growth Precinct 4)</i> Structure Plan.	
SUB-MAE-P5	To ensure that any staged subdivision and development enables overall connectivity within and beyond <i>Maewa (Growth Precinct 4)</i> in accordance with SUB - APP1 <i>Maewa (Growth Precinct 4)</i> Structure Plan.	
SUB-MAE-P6	To ensure subdivision design implements the <i>Maewa (Growth Precinct 4)</i> Structure Plan in SUB - APP1.	
SUB-MAE-P7	To require the integration of new development with the surrounding environment, whereby lots including those to vest as roads, are positioned to create a logical extension of existing <i>urban areas</i> .	
SUB-MAE-P8	To require that all development is undertaken in a comprehensive manner consistent with a Comprehensive Development Plan where stages are clearly identified and connectivity is shown.	
SUB-MAE-P9	To ensure block layouts within the subdivision proposal have <i>road</i> frontage and rear lots are discouraged.	
SUB-MAE-P10	To discourage the use of cul-de-sacs to enable a high level of accessibility and connectivity in the local street network.	

SUB-MAE-P11	To encourage subdivision designs which create a neighbourhood identity using positive characteristics of established areas reflecting cultural, heritage and natural values of the <i>site</i> and surrounding areas. Guidance Note: Refer also to EI-P3 which encourages all new cables and lines, including electricity distribution lines to be installed underground.	
SUB-MAE-P12	To manage natural hazard risk by requiring setbacks.	
SUB-MAE-P13	To require the mitigation of risk of stormwater inundation outside of Flood Channel <i>Zone</i> areas through subdivision design layout.	
SUB-MAE-P14	To manage stormwater inundation by:	
	SUB-MAE-P14.1	Ensuring adequate pervious surface is available for every residential lot in the subdivision, taking into consideration built and hard surfaces.
	SUB-MAE-P14.2	Requiring <i>building</i> platforms and minimum floor levels for <i>buildings</i> to protect against flooding and stormwater inundation from a 0.5% Annual Exceedance Probability (AEP) (1:200 year) flood event other than as a result of the failure of the Reids Line Floodway.
	SUB-MAE-P14.3	Requiring an integrated approach to stormwater management that recognises and utilises the capacity of existing systems and existing overland flow paths within <i>Maewa (Growth Precinct 4)</i> as identified in SUB - APP2 – Precinct 4 Overland Flow Paths.
SUB-MAE-P15	To ensure that any stormwater management measures and <i>earthworks</i> are in place and approved to <i>Council's</i> engineering standards at the time of subdivision, with ongoing controls to protect the integrity of stormwater management measures of adjoining landowners.	
SUB-MAE-P16	To ensure that the water supply within <i>Maewa (Growth Precinct 4)</i> has sufficient capacity and pressure to meet the needs of all development including New Zealand Fire and Emergency New Zealand requirements. Guidance Note:	

	Refer also to the New Zealand Fire Service firefighting water supplied code of practice SNZ PAS 4509:2008. This code identifies what is required for the Fire and Emergency New Zealand to have access to sufficient water during emergencies.
SUB-MAE-P17	To require an integrated Stormwater Management Plan to be lodged at the time of subdivision that demonstrates:
SUB-MAE-P17.1	How stormwater collection, attenuation and discharge is managed <i>onsite</i> to achieve <i>stormwater neutrality</i> for the proposed development at subdivision stage; and
SUB-MAE-P17.2	Low impact design practices to reduce stormwater runoff volumes and peak flow rates, and improve the quality of stormwater runoff is achieved; and
SUB-MAE-P17.3	How stormwater detention areas are maintained and managed.
SUB-MAE-P18	To require consent notices on titles outlining measures required to implement recommendations from any technical reports to achieve water sensitive stormwater designs within <i>Maewa (Growth Precinct 4)</i> , including requirements to maintain all measures.
SUB-MAE-P19	To ensure the integration of <i>essential infrastructure</i> into the existing Feilding network creating an efficient and orderly development within <i>urban areas</i> .
SUB-MAE-P20	To ensure that infrastructure and services to <i>Maewa (Growth Precinct 4)</i> are provided in a way that enables or facilitates future development opportunities while recognising the capacity of existing systems.
SUB-MAE-P21	To ensure subdivision and development contributes to and does not undermine the integrated and comprehensive spatial layout for <i>Maewa (Growth Precinct 4)</i> as identified in the Structure Plan in SUB-APP1.
SUB-MAE-P22	To restrict subdivision and development within <i>Maewa (Growth Precinct 4)</i> where <i>Council's essential infrastructure</i> is not in place and of sufficient capacity to service the subdivision.

SUB-MAE-P23

To ensure all *road* design is consistent with form, function and amenity of roads, including provision for vehicles, walking and cycling, consistent with requirements in the TR – Transport chapter.

Guidance Note:

Any development must also consider the requirements of the *Council* Engineering Standards when preparing the Comprehensive Development Plan.

Rules - All Zones Except *Maewa (Growth Precinct 4)*

Controlled Activities (CON) – All Zones Except *Maewa (Growth Precinct 4)*

Specifications of Activities:

SUB-R1	Any subdivision to adjust the position of titles or boundaries, which will not increase the number of titles concerned or the number of permitted ~~dwellings~~ <i>residential units</i> , and which will not result in the subdivision of any “base portion” of an allotment under SUB-ST17. [PCI]
SUB-R2	Any subdivision for utilities such as substations, transformers or pumping stations, provided that the balance of the <i>site</i> continues to comply with the provisions of this Plan, and that access to the utility is independent of the residual <i>site</i> .
SUB-R3	Any General Residential <i>zone</i> , Settlement <i>zone</i> , Town Centre <i>zone</i> , Mixed Use Zone, Commercial Zone, General Industrial <i>zone</i> or Open Space <i>zone</i> subdivision which meets the relevant standards SUB-ST1 to SUB-ST16, and SUB-ST28 to SUB-ST35.
SUB-R4	Any General Rural <i>zone</i> or Flood Channel <i>Zone</i> subdivision which meets the relevant standards set out in SUB-ST17 to SUB-ST35, and which does not

	involve land wholly or partly within the coastal area as shown on the Planning Maps.
SUB-R5	Any General Industrial <i>Zone</i> subdivision which meets the relevant standards SUB-ST1 to SUB-ST16, and GIZ - APP2.
Reservation of Control (RC): The matters in respect of which <i>Council</i> has reserved its control over controlled activity subdivisions are set out in SUB-RC1 to SUB-RC18.	
SUB-RC1	Provision of water supply and disposal of water, wastewater and stormwater, where the design and capacity of any reticulated system reflects the new and anticipated future demand and requirements.
SUB-RC2	The number, location and formation of vehicle crossings.
SUB-RC3	Provision of a connected street network, with appropriate use of street hierarchy and design type, including the width, length, drainage and formation of access.
SUB-RC4	The matters specified in Section 220 of <i>the Act</i> .
SUB-RC5	The size, shape and arrangement of allotments, in relation to <i>road</i> frontages, and location of proposed boundaries.
SUB-RC6	The creation of appropriate easements.
SUB-RC7	Payment of financial contributions including reserves contribution.
SUB-RC8	Providing, forming, naming and signposting new roads.
SUB-RC9	Preservation of existing vegetation.
SUB-RC10	Provision of open space including the retirement of steep land, gully systems, connections/links with other areas, esplanade reserves and strips, and local reserves.
SUB-RC11	Suitability of proposed allotments for subsequent <i>buildings</i> and future use, including the separation of proposed <i>building sites</i> from high voltage electricity transmission lines.

SUB-RC12	Impact of subdivision upon future management of <i>natural areas</i> , heritage places and items listed in HH-SCHED1, HH-SCHED2 and TREE-SCHED1. [PCH(a), PCH(b)]
SUB-RC13	Requiring a consent notice to be placed on the titles of newly-subdivided allotments which have no further subdivision potential under this Plan, to alert potential purchasers to that fact.
SUB-RC14	Accordance with any relevant Structure Plan and adherence to the principles set out in the Subdivision Design Guide (SUB-APP5).
SUB-RC15	Provision of a network of cycleways and walkways to the extent that these service the subdivision and connect with the surrounding environment.
SUB-RC16	Provision of buffers or other measure to delineate the boundary between urban and rural environments and provide separation between potentially incompatible activities.
SUB-RC17	The extent to which connections to electricity, gas and <i>telecommunication</i> networks are available to service the needs of the development and/or subdivision.
SUB-RC18	Avoidance or mitigation of flood hazards, including the assessment of the level of flood hazard risk from the waterbody and what mitigation measures are required, such as setback distances, minimum floor levels or specified <i>building</i> platforms.

Restricted Discretionary Activities (RDIS) - All Zones Except *Maewa (Growth Precinct 4)*

Specification of Activities:

SUB-R6	Any General Rural <i>Zone</i> or Flood Channel <i>Zone</i> subdivision which does not meet SUB-ST24 by virtue of a failure to comply with GRUZ-ST4, but which does not involve a greater number of allotments than would be permitted by the latter rule and the average lot size controls in SUB-ST7 to SUB-ST27.
SUB-R7	Any other General Rural <i>zone</i> or Flood Channel <i>Zone</i> subdivision which meets the average lot size controls in SUB-ST7 to SUB-ST27, but which does not meet one or more of the other standards in that Rule.

SUB-R8	Any subdivision to provide separate titles for two or more ~~dwellings~~ <i>residential units</i> which existed on a single title on 1 August 1998, if none of the ~~dwellings~~ <i>residential units</i> concerned were built for dependent relatives or as granny flats under any previous District Plan. [PCI]
SUB-R9	Any subdivision of land which provides a <i>building site</i> within 20m either side of the centre point of a high voltage (110kV or higher) transmission line, except that this rule will not apply to any subdivision where SUB-R12 applies.
SUB-R10	Any subdivision within a <i>Growth Precinct</i> (SUB-APP3 or GIZ - APP2) that does not comply with the <i>stormwater neutrality</i> standard in SUB-ST5 or SUB-ST16.
SUB-R11	Any subdivision within a <i>Growth Precinct</i> (SUB-APP3 or GIZ - APP2) that does not comply with the wastewater disposal standard in SUB-ST7 or SUB-ST31.
SUB-R12	Any subdivision of land within the <i>National Grid Corridor</i> that is also within <i>Growth Precinct 1</i> (SUB-APP3) and that complies with the standard in SUB-ST6.
Matters of Discretion (MD): <i>Restricted discretionary activities</i> shall be assessed in terms of the matters in SUB-MD1 to SUB-MD5.	
SUB-MD1	In assessing applications for <i>restricted discretionary activities</i> Council has reserved its control over matters related to the <i>effect</i> of allowing non-compliance with the particular performance standard (or standards) which the proposal has failed to meet. Conditions may be imposed to avoid, remedy or mitigate the <i>effects</i> of non-compliance.
SUB-MD2	In assessing applications which have become <i>restricted discretionary activities</i> due to non-compliance with the Plan's performance standards, but which otherwise would have been <i>controlled activities</i> , Council has also reserved its control over the matters in SUB-RC1 to SUB-RC18 which relate to that type of <i>controlled activity</i> .
SUB-MD3	In relation to subdivisions to provide separate titles for two or more rural ~~dwellings~~ <i>residential units</i> which existed on a single title on 1 August 1998 (SUB-R9 to SUB-R15) the degree to which the subdivision will produce individual house <i>sites</i> which: [PCI]
SUB-MD3.1	Have an adequate separation distance from each other and from nearby rural activities, and

	SUB-MD3.2	Can provide for adequate disposal of domestic effluent and stormwater.
SUB-MD4	Where it is proposed to subdivide land to create new allotments within the <i>National Grid Corridor</i> or within an area measured 20 metres either side of the centre point of a high voltage (110kV or higher) transmission line, the subdivision design should have particular regard to the following matters:	
	SUB-MD4.1	The extent to which the subdivision design mitigates the <i>effects</i> of the lines through the location of roads and reserves under the route of the line: and
	SUB-MD4.2	The ability for continued maintenance and inspections of transmission lines; and
	SUB-MD4.3	The minimisation of risk or injury and/or property damage from such lines; and
	SUB-MD4.4	The extent to which potential adverse visual <i>effects</i> are mitigated through the location of <i>building</i> platforms; and
	SUB-MD4.5	The outcome of any consultation with the affected utility operator; and
	SUB-MD4.6	The extent to which any <i>earthworks</i> and the construction of any subsequent <i>buildings</i> will comply with the NZ Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001); and
	SUB-MD4.7	The nature and location of any proposed vegetation to be planted in the vicinity of transmission lines
SUB-MD5	In assessing applications for subdivisions within any of the <i>Growth Precincts</i> or the Kawakawa Road Industrial Park Growth Area that do not comply with the stormwater neutrality standard (SUB-ST5 or SUB-ST16) Council has restricted its discretion to:	
	SUB-MD5.1	The extent of post development run-off generated by the development;
	SUB-MD5.2	The measures used to avoid, remedy and mitigate stormwater runoff from entering the overall Feilding stormwater network;

	SUB-MD5.3	The availability of stormwater detention areas or conveyance opportunities on surrounding land.
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Discretionary Activities (DIS) - All Zones Except *Maewa (Growth Precinct 4)*

Specifications of Activities:

SUB-R13	Any otherwise non-complying subdivision in the General Rural <i>zone</i> or Flood Channel <i>Zone</i> , if as a result of the subdivision an area of <i>indigenous forest</i> or a substantial archaeological <i>site</i> is to be protected by covenant or other legal means (Refer HH-APP3).
SUB-R14	Any General Rural <i>zone</i> or Flood Channel <i>Zone</i> subdivision which does not meet the controls in SUB-ST7 to SUB-ST27, on land within a <i>nodal area</i> , but only if the allotments being created do not have frontage to an arterial route (TR-APP1).
SUB-R15	Any subdivision of General Rural <i>zone</i> or Flood Channel <i>Zone</i> land wholly or partly within the coastal area as shown on the Planning Maps.
SUB-R16	Any subdivision within the Stadium <i>Zone</i> .
SUB-R17	Any subdivision within the Special Development <i>Zone</i> .
SUB-R18	Any subdivision within a <i>Growth Precinct</i> (SUB-APP3) that does not comply with the minimum lot sizes and/or minimum lot frontage standard in SUB-ST1.
SUB-R19	Any subdivision within a <i>Growth Precinct</i> that is not in accordance with the requirements specified in a relevant Structure Plan (SUB-APP3 and GIZ - APP2).
SUB-R20	Any subdivision within a <i>Growth Precinct</i> (SUB-APP3) that does not comply with the flood hazard standards in SUB-ST8.

Assessment Criteria

The criteria set out in GEN-AC1 to GEN-AC25 (particularly GEN-AC13, GEN-AC22, or GEN-AC23), will be taken into account in assessing the *discretionary activities* SUB-R13 to SUB-R20. [DELETED PCI]

Non-complying Activities (NC) - All Zones Except *Maewa (Growth Precinct 4)*

The following subdivisions shall be non-complying activities:

SUB-R21	Any subdivision of land within the <i>National Grid Corridor</i> that is also within <i>Growth Precinct 1</i> (SUB-APP3) that does not comply with the standard in SUB-ST6.
SUB-R22	Any activity which is not categorised by this chapter as being a <i>permitted, controlled, restricted discretionary, discretionary</i> , or prohibited activity shall be a <i>non-complying activity</i> .

Guidance Note:

Power to decline subdivisions

Even if a subdivision complies with the above rules, *Council* may decline consent under Section 106 of *the Act*. (Refer SUB-O6 and SUB-P16).

Standards – All Zones Except *Maewa (Growth Precinct 4)*

Standards – General Residential Zone

Greenfields subdivisions

SUB-ST1	Any subdivision shall comply with the relevant minimum lot size and frontage widths as set out in Table 3 below for the existing General Residential Zone and areas shown within the <i>Growth Precincts</i> :	
	Area	Minimum Lot Size (<i>Net Site Area</i>)
	Existing Residential	500m ²
	<i>Growth Precinct</i> – Density 1	2000m ²
	<i>Growth Precinct</i> – Density 2	800m ²
Table 3 Minimum Lot Size and Frontage		
SUB-ST2	Access and roading design and construction shall comply with the standards contained within NZS 4404:2010 Land Development. Where common access to six or more allotments is to be provided, this access must be a new legal <i>road</i> , to be formed to <i>Council</i> standards.	
SUB-ST3	Shape factor - each <i>site</i> shall be capable of containing an 18m diameter circle.	
SUB-ST4	Any subdivision proposals shall be designed in accordance with the requirements specified in the relevant Structure Plan (SUB-APP3).	
SUB-ST5	Any subdivision shall include a stormwater system design that achieves <i>stormwater neutrality</i> at the following scales:	
	SUB-ST5.1	Over the area of land that is the subject of the subdivision proposal.
	SUB-ST5.2	Over the <i>Growth Precinct</i> in which the subdivision proposal is located.
SUB-ST6	Any subdivision of land within the <i>National Grid Corridor</i> shall identify a <i>building</i> platform to be located outside the <i>National Grid Yard</i> .	
SUB-ST7	Any subdivision that includes a lot smaller than 5,000m ² must be connected to reticulated wastewater services.	
SUB-ST8	Any subdivision containing a waterbody shall include:	
	SUB-ST8.1	Consideration and assessment of flood hazard <i>effects</i> ; and

	SUB-ST8.2	Measures to ensure that <i>effects</i> of flooding from the waterbody area avoided or mitigated.
Infill subdivision NB: 1. An application for land use consent will be needed for development of <i>sites</i> under 350m ² (Refer GRZ-R14 to GRZ-R19). 2. Overall development plans of the proposed new and any existing development must accompany <i>infill</i> subdivision proposals. (Refer: Subdivision Consent Applications in the GEN-General Approach chapter).		
SUB-ST9	<i>Infill</i> subdivision proposals which do not comply with the minimum lot size, or shape factor rules above shall demonstrate that:	
	SUB-ST9.1	The <i>site</i> can accommodate the proposed new and any existing development in compliance with the standards in GRZ-ST1 to GRZ-ST35.
	SUB-ST9.2	The proposed <i>sites</i> can be satisfactorily serviced.
SUB-ST10	<i>Infill</i> subdivision proposals shall comply with SUB-ST2 above.	

Standards – Settlement Zone

Refer SUB-O3 to SUB-O11, and SUB-P5 to SUB-P34

SUB-ST11	Minimum <i>site</i> area	
	SUB-ST11.1	Sewered: 500m ² <i>net site area</i>
	SUB-ST11.2	Unsewered: 800m ² <i>net site area</i>
	SUB-ST11.3	Rongotea South Development Area A: 500m ²
	SUB-ST11.4	Rongotea South Development Area B: 750 – 1000m ²

	SUB-ST11.5	Rongotea South Development Area C: 1500m ²
SUB-ST12	Any <i>entrance strip</i> which provides legal access to a rear <i>site</i> shall have a minimum width of:	
	SUB-ST12.1	3m where the number of <i>sites</i> is not greater than four. If visibility is restricted along the <i>entrance strip</i> , spaces visible from one to another shall be provided to enable vehicles to pass.
	SUB-ST12.2	6m where the number of <i>sites</i> is greater than four. This width may be reduced to 3m if the <i>entrance strip</i> includes space for vehicles to pass, such spaces being visible from one to another.
SUB-ST13	Where common access to eight or more residential allotments is to be provided, this access must be a new legal <i>road</i> , to be formed to <i>Council's</i> standards.	

Standards – Town Centre, Mixed Use, Commercial, General Industrial, Open Space, Stadium and Special Development Zones

Refer SUB-O3 to SUB-O11, and SUB-P5 to SUB-P34

SUB-ST14	Suitability Of Lots The applicant must demonstrate that all new allotments can be used for a permitted activity in a manner that conforms to this Plan. Development plans for the land being subdivided may be required, to prove compliance with the Plan's standards.
SUB-ST15	Access To Rear <i>Sites</i> Any <i>entrance strips</i> to rear <i>sites</i> shall be wide enough for heavy vehicle access.

SUB-ST16	Stormwater Neutrality (General Industrial Zone only)	
	Every subdivision must include a stormwater system designed to achieve <i>stormwater neutrality</i> , appropriate for the activities, use and development of the <i>site</i> , including any connection to <i>Council</i> network infrastructure, at the following scales:	
	SUB-ST16.1	Over the area of land that is the subject of the subdivision proposal; and
	SUB-ST16.2	Over the <i>Growth Precinct</i> in which the subdivision proposal is located.

Standards – General Rural Zones and Flood Channel Zones

(Refer SUB-O1 to SUB-O7, SUB-O11, SUB-P1 to SUB-P23, SUB-P33, SUB-P34)

SUB-ST17	Average lot size rule - General	
	SUB-ST17.1	The maximum number of additional allotments which may be created by subdivision of any title shall not exceed the subdivision entitlement (SE) or remaining entitlement (RE) calculated in accordance with SUB-ST18 to SUB-ST19.
	SUB-ST17.2	If the subdivision entitlement (SE) or remaining entitlement (RE) calculated for any title is less than one, no subdivision of that title shall be permitted. Fractions shall be disregarded.
	SUB-ST17.3	Any land which comprises the “base portion” of the title concerned, as determined under SUB-ST56 below, shall not at any time be subdivided further.
	SUB-ST17.4	If the land being subdivided includes more than one title, or involves a title which is zoned partly General Rural Zone – Specific Control Area and partly General Rural Zone, the subdivision entitlement or remaining entitlement for that land shall be calculated by adding together the entitlements of the individual titles or parcels of land concerned.

SUB-ST18	Average Lot Size Rule – Parent Titles.	
	SUB-ST18.1	Titles which existed on 1 August 1998 shall be termed “parent titles.” The subdivision entitlement (SE) of such titles shall be calculated by taking the total area of the title (A) and dividing it by: General Rural Zone – Specific Control Area, with or without Flood Channel Zone land- 8 (GRZSCA) General Rural Zone, with or without Flood Channel Zone land- 4 (GRZ) Flood Channel Zone land without General Rural Zone – Specific Control Area or General Rural Zone land- 8 (FC) And then subtracting 1.0 from the resulting number, ie: $SE = \left(\frac{A}{GRZSCA \text{ or } GRZ \text{ or } FC} \right) - 1.0$
	SUB-ST18.2	An area comprising one half of the parent title or an area comprising 20 hectares, whichever is a smaller area of land, shall be identified within each subdivision of a parent title as a “base portion”. This area of land must be wholly retained within one of the new allotments being created. Example: Farmer Brown has a title which is zoned partly General Rural Zone – Specific Control Area and partly Flood Channel 1. It is 92.7ha in area and has existed since 1967. To find out its subdivision potential he divides 92.7ha by 8 (R1 from above). His calculator gives an answer of 11.58, and he then subtracts one to give an answer of 10.58. The fraction of .58 is disregarded. The property can therefore be divided to produce a maximum of ten extra lots plus a balance area (SE = 10).

	<i>Farmer Brown then calculates his “base portion”, which is half of the original title (i.e. 46.35ha, or 20ha, whichever is smaller). The answer he finds is therefore 20ha.</i> <i>The 10 extra allotments plus balance area can be of any size the farmer chooses, as long as the base portion (i.e. at least 20ha) remains in one piece and the Plan’s other rules (e.g. 0.8ha minimum size) are met.</i>
SUB-ST18.3	When a parent title is subdivided, the entitlement to subdivide shall be recalculated and distributed among the resulting titles as follows: The number of additional allotments (N) which have been subdivided from the parent title shall be subtracted from the maximum number of additional allotments which could have been subdivided from the parent title (SE from above), to give the total remaining entitlement (tRE), i.e. $tRE = (SE - N)$ Example: <i>Farmer Brown subdivided the 92.7ha property into three pieces, i.e. created two extra lots (N = 2). It was however allowed to be subdivided to provide up to 10 extra lots (SE = 10). The total remaining entitlement (tRE) is therefore either extra allotments. This entitlement is then divided amongst the three pieces of land (the resulting titles) as described below. (NB If Farmer Brown’s subdivision has already created the maximum of ten additional allotments from his property, no further subdivision would be allowed.)</i>
SUB-ST18.4	The total remaining entitlement (tRE), if any, shall be apportioned amongst the resulting titles (RT) by dividing the area of each resulting title by the area of the parent title (PT), and then multiplying the result by the total remaining entitlement (tRE). For this calculation the area of the base portion (BP) shall be excluded from the parent title and from any resulting title within which it is located. $RE \text{ for each Resulting Title} = tRE \times \left(\frac{RT \text{ Area} - BP}{PT \text{ Area} - BP} \right)$

		Example: The three titles created from Farmer Brown’s 92.7ha property had areas of 50ha, 18ha, and 24.7ha. The 50ha Lot 1 contains the 20ha base portion. This 20ha is subtracted from the parent title, and from Lot 1. The three new titles (with Lot 1 now being a net area of 30ha) are each divided by the net area of the parent title (72.7ha), and then multiplied by the total remaining entitlement of 8, as follows: <i>Lot 1 is $30\text{ha}/72.7\text{ha} = 0.412$ then $0.412 \times 8 = 3.30$</i> <i>Lot 2 is $18\text{ha}/72.7\text{ha} = 0.248$ then $0.248 \times 8 = 1.98$</i> <i>Lot 3 is $24.7\text{ha}/72.7\text{ha} = 0.340$ then $0.340 \times 8 = 2.72$</i> <i>Lot 1 can therefore have three additional lots (i.e. can be subdivided into up to four pieces). Lot 2 can have one additional lot, and Lot 3 can have two additional lots</i>
SUB-ST19	Average Lot Size Rule – Resulting Titles and Subsequent Subdivisions	
	SUB-ST19.1	In any subdivision of “resulting titles”, and in any subdivisions thereafter, the subdivision entitlement shall be recalculated for each new title. This recalculation shall be done in the manner described in SUB-ST18, except that the “parent title” shall be deemed to be the title being subdivided rather than that which existed on 1 August 1998. Example: Farmer MacDonald buys one of Farmer Brown’s three resulting titles, namely Lot 1 of 50ha. She knows that it can be potentially subdivided to provide three additional lots, and cuts it into two blocks of 12ha and 38ha. The subdivision potential of the two pieces is then recalculated. The potential of her block was three additional lots, and she has subdivided to provide only one. The total remaining entitlement is therefore two. <i>This total remaining entitlement then needs to be apportioned between the two new pieces of land which Farmer MacDonald has created. The 38ha block contains the 20ha base portion, which needs to be subtracted from the area of both that allotment and the 50ha Lot 1.</i>

		<i>To do this the net areas of both allotments (12 and 18ha) are each divided by the net area of the title from which they came (30ha), and then multiplied by the total remaining entitlement of the whole 50ha block (2 new lots), as follows:</i> <i>Lot 1 is 12ha/30ha = 0.40 then 0.40 x 2 = 0.80</i> <i>Lot 2 is 18ha net/30ha = 0.60 then 0.60 x 2 = 1.20</i> <i>Lot 2 can therefore be subdivided to provide one additional allotment, i.e. cut into two pieces. Lot 1 cannot be subdivided since its entitlement is less than one additional lot.</i> NB: Council will place a consent notice on the titles of newly-subdivided allotments which have no further subdivision potential under this Plan, to alert potential purchasers to that fact (Refer SUB-RC13)
SUB-ST20	Minimum Lot size – All allotments shall be at least 0.8ha in area.	
SUB-ST21	Separation factor for potential houses – All allotments shall be capable of containing a notional ~~dwelling~~ <u>residential unit site</u> which is at least 35 metres from all boundaries of that allotment. The notional ~~dwelling~~ <u>residential unit site</u> shall consist of a 20 metre diameter circle, and shall meet the requirements of SUB-ST24 below as a suitable <i>building site</i> . [PCI]	
SUB-ST22	Effluent Disposal	
	SUB-ST22.1	All allotments being created shall have a demonstrated suitability for the disposal of effluent from a ~~dwelling~~ <u>residential unit</u> on the land. [PCI]
	SUB-ST22.2	Effluent shall be disposed of either within the <i>site</i> or into a Council- approved collective disposal system. Sewage drainage easements into neighbouring properties will not be permitted.
SUB-ST23	Access to land drainage and water	
	SUB-ST23.1	All allotments shall be demonstrated to have direct or legal access to natural or practical land drainage.
	SUB-ST23.2	All allotments being created for other than purely residential purposes shall have an adequate piped supply of water for stock watering purposes. This water supply may be by means of a supply easement from another property, or by means of a piped supply from a fenced farm dam.

	SUB-ST23.3	Allotments being created for a purpose which involves large areas of parking, <i>buildings</i> or other impervious surfaces shall make appropriate provision for stormwater disposal.
SUB-ST24	Suitable building site All allotments shall have at least one suitable <i>site</i> where a ~~dwelling~~ <i>residential unit</i> could be erected, together with associated effluent and stormwater disposal systems. For the purposes of this rule a suitable ~~dwelling~~ <i>residential unit site</i> is one which complies with this Plan's performance standards, is not within the Air Noise Area, (Refer NOISE-APP1), and has been demonstrated to be free of land stability hazards. [PCI]	
SUB-ST25	Access to Allotments	
	SUB-ST25.1	All allotments shall have at least one place for a vehicular access point which meets the sight distance requirements in TR-APP3. This access point may be shared with other property, provided that any necessary legal arrangements are entered into.
	SUB-ST25.2	Any <i>entrance strip</i> which provides legal access to a <i>site</i> , shall have a minimum width of:
	SUB-ST25.2.a	8m where the number of <i>sites</i> is two or less,
	SUB-ST25.2.b	10m where the number of <i>sites</i> is three or four.
	SUB-ST25.2.c	12m where the number of <i>sites</i> is five or more.
	SUB-ST25.3	Any vehicle crossings proposed by a subdivision and located less than 50 metres apart shall be combined to create a joint crossing place, if located on the same side of the <i>road</i> concerned.
	SUB-ST25.4	Where common access to eight or more allotments is to be provided, this access must be a new legal <i>road</i> , to be formed to the <i>Council's</i> standards. NB: Where a new vehicle crossing is proposed to, or near, an arterial route, land use consent may be required if the

		relevant standards are not met. (Refer Rules GRUZ-ST15 and NH-ST5).
SUB-ST26	Fragmentation of Natural Areas – No subdivision shall result in:	
	SUB-ST26.1	Any new boundary within any area of <i>indigenous forest</i> , or within any <i>wetland</i> listed in HH-APP1, or
	SUB-ST26.2	The fringes or bed of a lake being comprised in a greater number of titles than is currently the case, unless that area is to be protected by a <i>legal covenant</i> .
SUB-ST27	New Intersections – Spacing and visibility guidelines – Refer TR-APP3.	

Further Standards Applying in All Zones, Except *Maewa (Growth Precinct 4)*

SUB-ST28	Exception to frontage requirements – <i>Council</i> may approve allotments without <i>road</i> frontage where it is satisfied with alternative access. (Section 321(3) Local Government Act 1974).	
SUB-ST29	Concept plans – In respect of any land capable of providing more than 50 housing allotments, <i>Council</i> may require an overall concept plan to be submitted, prior to any application for subdivision consent being considered.	
SUB-ST30	Party walls – Where a subdivision creates a party wall, that wall must comply with the Building Act’s fire rating and structural requirements.	
SUB-ST31	Services In General Residential, Settlement, Town Centre, Mixed Use, Commercial, General Industrial, Stadium and Special Development Zones:	
	SUB-ST31.1	<i>Sites</i> in these zones shall be connected to reticulated services, and shall not cause existing services to be overloaded.
	SUB-ST31.2	All cables, including for power, telephone, and street lighting, shall be placed underground, except where existing services are above ground or where in <i>Council’s</i> opinion,

		underground services are economically unjustifiable due to problems associated with such issues as topography, geology, land stability or operational requirements.
	SUB-ST31.3	Where rear <i>sites</i> are being created, or a multi-unit development is being subdivided, easements shall be created over all underground services.
SUB-ST32	Separation from boundaries – All proposed boundaries shall be <i>sited</i> at a sufficient distance from <i>buildings</i> to comply with the <i>yard</i> and <i>height</i> requirements of this Plan, and to meet the fire rating requirements of the Building Act 1991.	
SUB-ST33	High-Voltage Electricity Transmission Lines – Where land being subdivided contains high voltage (110kV or higher) transmission lines the subdivision design shall provide for <i>building sites</i> no closer than 20m either side of the centre point of the transmission line.	
SUB-ST34	Access to sites within the Stadium Zone – Any vehicle crossings proposed along Kawakawa Road must be located 50m apart. Any crossings within this distance must be joined to form one access	
SUB-ST35	Access to sites within the Special Development Zone	
	SUB-ST35.1	Access to <i>sites</i> from South Street must be accommodated by a service lane adjacent to South Street.
	SUB-ST35.2	Any vehicle crossings proposed along Kawakawa Road must be located 50m apart. Any crossings within this distance must be joined to form one access.

Rules – Maewa (Growth Precinct 4)

Rules in this chapter need to be read in conjunction with the rules in chapters Energy and Infrastructure, Transport, Noise, Earthworks, Signs, Temporary Activities, Relocated Buildings, Boarding, Breeding and Training Kennels, and the relevant *zone* provisions.

Restricted Discretionary Activities (RDIS) – Maewa (Growth Precinct 4)

SUB-MAE-R1	Any subdivision of land within the area shown within SUB-APP1 – <i>Maewa (Growth Precinct 4)</i> Structure Plan.	
	Matters of Discretion (MD)	
	For this activity, the Council has restricted its discretion to considering the following matters:	
	SUB-MAE-MD1	The size, shape and arrangement of lots.
	SUB-MAE-MD2	Provision of water supply and disposal of water, wastewater and stormwater.
	SUB-MAE-MD3	The number, location and formation of vehicle crossings.
	SUB-MAE-MD4	Safe and efficient operation of the roading network, including walking and cycling.
	SUB-MAE-MD5	Suitability of proposed lots for subsequent <i>buildings</i> and future use.
	SUB-MAE-MD6	Avoidance or mitigation of flood hazard and stormwater inundation.
	SUB-MAE-MD7	The provision of open space networks.
	SUB-MAE-MD8	Availability of <i>Council</i> infrastructure.
	SUB-MAE-MD9	Consistency with <i>Council's</i> Engineering Standards.
	Assessment Criteria (AC)	
	In determining whether to grant a resource consent and what conditions to impose, the <i>Council</i> will, in addition to the objectives and policies of the Subdivision and General Residential Chapters, assess any application within <i>Maewa (Growth Precinct 4)</i> in terms of the following assessment criteria:	
	SUB-MAE-AC1	Whether the subdivision design and layout compliments the diverse character and <i>amenity values</i> of Feilding's residential area.

	SUB-MAE-AC2	The extent to which the subdivision is designed to provide for the future development of adjoining sites, in accordance with SUB-APP1 – <i>Maewa (Growth Precinct 4) Structure Plan</i> .
	SUB-MAE-AC3	How the proposed development and subdivision relates and connects to adjoining sites and areas and whether it enables future staged development and or subdivision of adjoining lots by giving <i>effect</i> to with the SUB-APP1 – <i>Maewa (Growth Precinct 4) Structure Plan</i> .
	SUB-MAE-AC4	The extent to which the proposed layout takes into consideration the shape, orientation and aspects of lots, to create building sites and outdoor amenity areas which have a northward orientation and ability for passive solar gain.
	SUB-MAE-AC5	The extent to which the lot layout will allow new buildings to retain reasonable visual privacy and sunlight.
	SUB-MAE-AC6	The extent to which all lots within the subdivision have safe and adequate vehicle access, taking into account the requirements of the access performance standards of TR-R2, and TR-ST1.
	SUB-MAE-AC7	The extent to which natural hazards are avoided or mitigated.
	SUB-MAE-AC8	The degree to which the subdivision design avoids or mitigates any likely increases in peak stormwater run-off and peak stormwater flow to achieve <i>stormwater neutrality</i> .
	SUB-MAE-AC9	The consistency of the proposed subdivision with relevant subdivision engineering requirements.
	SUB-MAE-AC10	The extent to which stormwater inundation <i>effects</i> are managed, including overland flow paths.
	SUB-MAE-AC11	The extent to which minimum floor levels are assessed and provided for.
	SUB-MAE-AC12	The extent to which subdivision design and layout gives <i>effect</i> to SUB-APP1 – <i>Maewa (Growth Precinct 4) Structure Plan</i> .
	SUB-MAE-AC13	The degree to which the subdivision provides for the integration of essential infrastructure.

	SUB-MAE-AC14	The extent to which Council has the ability to maintain and access infrastructure and services in the future.
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Guidance Notes:

1. *Earthworks*, damming and diversion are also regulated by the Manawatū-Wanganui Regional Council and a resource consent maybe required under the rules of the One Plan.
2. The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (2011) also applies to subdivision and a consent may be required under those provisions.
3. The provisions of the National Environmental Standard for *Telecommunications Facilities* (2008) apply and resource consent may be required under those Standards. In the event of a conflict between them the provisions of the National Environmental Standard override the District Plan.

Discretionary Activities (DIS) – Maewa (Growth Precinct 4)

The following activity is a Discretionary Activity within *Maewa (Growth Precinct 4)*:

SUB-MAE-R2	Any subdivision that does not meet the performance standards in SUB-MAE-ST1 to SUB-MAE-ST8.
SUB-MAE-R3	Any subdivision not specifically provided for in this Plan.

Assessment Criteria

In determining whether to grant a resource consent and what conditions to impose, the Council will, in addition to the objectives and policies of the Subdivision and the General Residential Zone Chapters, assess any application within *Maewa (Growth Precinct 4)* in terms of the assessment criteria in SUB-MAE-AC1 to SUB-MAE-AC14.

Guidance Note:

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

Standards – Maewa (Growth Precinct 4)

SUB-MAE-ST1	Lot Size	
	SUB-MAE-ST1.1	Any subdivision must comply with an average lot size of 600m ² .
	SUB-MAE-ST1.2	Any subdivision must ensure lot sizes are sufficient in size to achieve <i>site coverage</i> , outdoor space and <i>permeable surface</i> area requirements for the General Residential Zone in GRZ-ST1 to GRZ-ST11.
SUB-MAE-ST2	Access and road design	
	SUB-MAE-ST2.1	Access and <i>Road</i> Design and construction must comply with <i>Council</i> Engineering Standards. Common access to eight or more lots must be provided by <i>road</i> formed to <i>Council</i> standards.
	SUB-MAE-ST2.2	Access must comply with the provisions in TR-R2, and TR-ST1.
	SUB-MAE-ST2.3	Roads must comply with the design requirements of TR - APP2 – <i>Road</i> Cross Sections.
SUB-MAE-ST3	Shape factor – Each residential lot must be capable of containing an 18m diameter circle.	
SUB-MAE-ST4	Comprehensive development plan – Any development and subdivision must have a Comprehensive Development Plan that demonstrates how the proposal:	
	SUB-MAE-ST4.1	Demonstrates a connected internal roading network that facilitates movement demands within the area while also providing a block structure that supports a high quality urban environment.

	SUB-MAE-ST4.2	Shows the location, width and design of publicly accessible roads, laneways and accessways having regard to vehicles, public transport, pedestrians and cyclists that are intended to use them.	
	SUB-MAE-ST4.3	Outlines the servicing required for the development, and ensures suitable sizing of infrastructure to service the wider <i>Growth Precinct</i> .	
	SUB-MAE-ST4.4	Includes a spatial layout plan showing how the development achieves connectivity and integration to the wider area including public access along the Makino (Mangakino) Stream and its margins.	
	SUB-MAE-ST4.5	Includes a spatial layout plan showing how the development achieves connectivity and integration to the wider area including public access along the Makino (Mangakino) Stream and its margins.	
	SUB-MAE-ST4.6	Identifies the location of natural watercourses and overland flow path and how these will be managed or enhanced.	
	SUB-MAE-ST4.7	Provides clear reference to:	
		SUB-MAE-ST4.7.a	The objectives and policies of the <i>Zone</i> .
		SUB-MAE-ST4.7.b	Current and anticipated future built form and uses.
		SUB-MAE-ST4.7.c	Anticipated future capacity of the Activity area.
		SUB-MAE-ST4.7.d	Relationships and connections within <i>Maewa (Growth Precinct 4)</i> .
SUB-MAE-ST5	Earthworks:		
	SUB-MAE-ST5.1	All subdivisions must comply with the provisions in EW-R1, EW-R2, and EW-ST1 to EW-ST9.	
	SUB-MAE-ST5.2	Existing overland flow paths as shown in SUB - APP2 are maintained and not filled in, dammed or diverted.	

	Guidance Note: <i>Earthworks</i> , damming and diversion are also regulated by the Manawātū-Wanganui <i>Regional Council</i> and a resource consent maybe required under the rules of the One Plan.	
SUB-MAE-ST6	Building Platforms – <i>Building</i> platforms must be identified which are at or above the flood and stormwater inundation level predicted for a 0.5% annual exceedance probability (AEP) (1 in 200 year) flood event. Guidance Notes: <i>Council</i> has a model for stormwater that can be used to predict flood levels for areas within <i>Maewa (Growth Precinct 4)</i>. Liaison with <i>Council's</i> Land Development Manager is recommended. Refer to Manawātū Whanganui <i>Regional Council</i> for flood information on the Makino (Mangakino) Stream. - Calculations for this performance condition shall exclude flooding as a result of the failure of the Reids Line Floodway.	
SUB-MAE-ST7	Infrastructure:	
	SUB-MAE-ST7.1	All cables and pipes, including for gas, power and telecommunications must be placed underground, except where they are required to be above ground for connection to associated infrastructure.
	SUB-MAE-ST7.2	All <i>Council's essential infrastructure</i> must be available for connection within 30 metres of the nearest point of the land being subdivided.
	SUB-MAE-ST7.3	Any subdivision must be connected to reticulated services designed and constructed to comply with <i>Council Engineering Standards</i> .
	SUB-MAE-ST7.4	All <i>Council's new essential infrastructure</i> proposed in a subdivision must be located within <i>road</i> reserve and vested in <i>Council</i> .
	SUB-MAE-ST7.5	Development must only occur in areas where <i>Council's essential infrastructure</i> is available and of sufficient capacity for the subdivision.
	Guidance Note: In situations where development is proposed ahead of <i>Council</i> infrastructure investment, <i>Council</i> may enter into agreements with	

	land owners as outlined in the <i>Council</i> Development Contributions Policy around the provision of <i>Council's essential infrastructure</i> .
SUB-MAE-ST8	Stormwater Management Plan – For <i>Maewa (Growth Precinct 4)</i> , a report from a Chartered Professional Stormwater Engineer identifying the potential stormwater risks to the <i>site</i> and how <i>stormwater neutrality</i> will be achieved at the following scales:
	SUB-MAE-ST8.1 Over the area of land that is the subject of the subdivision proposal.
	SUB-MAE-ST8.2 Over the <i>Growth Precinct</i> in which the subdivision proposal is located.
	This report must cover:
	SUB-MAE-ST8.3 A <i>site</i> specific hydrologic modelling assessment based on the proposed subdivision plan and includes assessment for how the stormwater will be collected, attenuated and managed <i>onsite</i> .
	SUB-MAE-ST8.4 Scoping of all internal stormwater infrastructure and how it will interact with the existing drainage system including connection to the existing stormwater network.
	SUB-MAE-ST8.5 Treatment of all stormwater runoff prior to discharge to the primary network.
	SUB-MAE-ST8.6 Protection of treatment devices and treatment runoff during all phases of construction.
	SUB-MAE-ST8.7 Outline how the development will hydraulically relate to its surrounding environs, including assessment of overland flow paths and potential flood impacts of proposed and existing development.
	SUB-MAE-ST8.8 Outline how the proposed stormwater management system will provide attenuation <i>onsite</i> to minimise runoff from the <i>site</i> .
	SUB-MAE-ST8.9 Outline how the proposed stormwater management system is consistent with <i>Council's</i> Engineering Standards and NZS 4404:2010 Land Development and Subdivision Infrastructure.

	SUB-MAE-ST8.10	How the proposed stormwater management approach recognises the Makino (Mangakino) Stream and its margins as a sensitive receiving environment where natural, public access and tangata whenua values must be recognised and provided for by identifying and enhancing those values. This report must also contain recommendations as to the location, design and construction of stormwater infrastructure that are appropriate to mitigate any characteristic or feature identified. Ongoing maintenance of the stormwater infrastructure recommended in the Report must also be outlined. A copy of any <i>site</i> calculations must accompany the report.
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Explanation

Impact on rural soils

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

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

Retaining options for use of the District's "versatile land" (ie Class I and II soils apart from Class IIs2) is particularly vital. An explanation of the land-use capability classes and why versatile land is a special resource can be found in the GRUZ – General Rural Zone chapter). It is in very limited supply and is under the greatest demand for small-lot subdivision, especially near Feilding and Palmerston North. If widespread fragmentation into uniform small lots was permitted it would

not take long for subdivision to make significant inroads into the supply of versatile land and of larger blocks in these locations. The Plan's General Rural Zone – Specific Control Area identifies the District's main areas of versatile land, and recognises the potential *effects* on its productive options by requiring an 8ha minimum average lot size in that zone.

The average lot size for the General Rural Zone (less versatile land) has been set at 4ha. This is because the finite demand for small rural blocks is unlikely ever to have a major impact on the availability of the District's large areas of non-elite soils for productive uses. The subdivision controls for these areas are therefore primarily based instead on landscape and rural character considerations. (Refer SUB-O3).

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

SUB-P2 notes that the Plan requires that land quality be taken into account in decisions to zone extra land for urban expansion. This is because any high quality land which is put under urban development is irretrievably lost.

Rural separation distances

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

Seeking to promote a level of amenity for rural residents is in line with the matters of importance in *the Act*. It is related to the rural landscape and effluent disposal objectives (SUB-O3, SUB-O6) and would also assist full productive use of rural land to occur without conflicting with neighbours. Many rural residents expect the countryside to be an idyllic place, and having adequate separation can help. These residents should however realise that some noise, odour, dust etc. is inevitably associated with normal agricultural production and will have to be "put up with." Bearing this in mind, the minimum lot size in the Rural zones has been set at 0.8ha. The Plan's rules do however allow possible development of rural house allotments down to 4000m² in size in specified locations (SUB-P6).

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

Landscape appearance and character

The elements which contribute to rural and urban “character” are set out in GRUZ-O2, GRZ-O1, and SETZ-O2. It is important to maintain a different landscape appearance between “town and country” for aesthetic and environmental reasons. This is in line with *the Act’s* statements about maintaining and enhancing the quality of the environment and *amenity values*. These qualities are highly valued by many rural residents and contribute to New Zealand’s “clean green” image for visitors. Having said this, though, rural areas are primarily places for production from the land rather than scenic reserves for townspeople.

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

The average density of dwellings *residential units* influences the “ruralness” of a locality rather than minimum lot size. For example an area of large farms interspersed with quarter-acre house sites can still appear very rural. This Plan therefore uses rural subdivision controls based on an average lot size to help achieve SUB-P28. The average lot size of 4ha chosen for the Rural 2 zone represents the density beyond which *Council’s* analysis shows that rural character begins to be lost. The 8ha average used for the General Rural Zone – Specific Control Area has been selected for reasons other than rural character, (see SUB-O1), but also represents a density at which rural amenities will not be adversely affected by housing.

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

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

~~Water supply, stormwater, and farm drainage~~

An effect of subdivision is that new lots usually need their own separate access to water supplies, farm drainage and stormwater disposal. If left unserved, or without an appropriate level of servicing, the development that occurs after subdivision can have an impact on the health, safety and wellbeing of the District’s residents. Potential problems include surface ponding, an inability to properly drain farmland, more rapid or uncontrolled stormwater runoff, and lack of proper

access to drinking or stock water. Action at the subdivision stage can avoid these problems by for example creating appropriate easements so that new lots have legal access to public drains.

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

Domestic effluent disposal

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

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

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

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

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

Natural hazards

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

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

- a) Any land in respect of which consent is sought, or any structure on that land, is or is likely to be subject to material damage by erosion, falling debris, subsidence, slippage, or inundation from any source; or*

~~b) Any subsequent use that is likely to be made of the land is likely to accelerate, worsen, or result in material damage to that land, other land, or structure by erosion, falling debris.....~~

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

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

~~Any potential building site must include space for the facilities which support a dwelling residential unit, particularly effluent disposal systems and water supply tanks in the rural situation. These facilities can be just as adversely affected by events like land slippage or flooding. If people need to escape during or after a hazard event it is also important that their access routes are not blocked by hazards (NH O2).~~

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

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

Traffic Safety and Efficiency

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

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

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

Urban growth

~~SUB-O8 recognises new urban growth areas for Feilding and the provision for urban growth in other villages in the district. Residential and industrial growth projections signal a continuation~~

of demand across the district, with a concentration in Feilding. To provide for additional housing and industrial demand across the district, two approaches to growth are set out in the above policies.

Firstly, SUB-P24 sets a criteria-based approach for determining areas for urban growth in Manawātū towns (apart from Feilding) and villages. This criteria approach is applied where no urban growth areas have been identified, and enables broad and specific considerations to be used in assessing private plan changes to rezone land to General Residential or Settlement Zone.

Secondly, SUB-P25 to SUB-P27 provide a more directive approach for managing urban growth in Feilding to meet the anticipated demand.

Criteria approach

For the first approach, SUB-P24.1 relates to natural hazards, as a constraint to extending many of the towns and villages. For instance, flooding occurs to the north of Sanson and to the south of Bunnythorpe. Tangimoana relies on stopbank protection from the Rangitikei River. Any growth in Himatangi Beach should not be toward the south, which would entail moving sand dunes. Apart from the ecological effects of removing those dunes, constructing streets and sections afterwards would pose severe sand stabilisation problems. The possibility of sea level rise also needs to be taken into account for the beach settlements. It would have a significant effect on ground water table levels and on drainage ability, which is already limited in Tangimoana.

Urban growth can have adverse effects on the landscape (SUB-P24.2) and can impinge on areas which have heritage value, including significant habitats of indigenous fauna. Council is not aware of any potential problems of this nature, apart from potential impact on coastal values at Himatangi Beach and Tangimoana and the impact on rural amenities which results from converting farmland to urban use (SUB-P24.8).

The effects of urban expansion upon versatile soils also need to be considered (SUB-P24.3). Such land is a valuable and relatively limited resource, and its future options for use need to be safeguarded whenever possible. Subject to all other factors being equal, developing less versatile soils is preferable to highly versatile soils.

SUB-P24.4 refers to the provision of utility services (water supply, effluent and stormwater disposal). It is essential that any extensions to townships with sewers are also provided with utility services. Whether connection to the town system or a completely new system is proposed, an agreement will need to be reached between Council and the developer about the costs of extending and connecting to utility services. (Refer: Financial Contributions Chapter: Utility Sites/Services Purposes, FIN-P8 to FIN-P13).

SUB-P24.5 recognises that land use, energy consumption and provision of transport are interrelated. Minimising transport and energy costs in connection with urban growth areas, (e.g.

the cost of residents travelling to and from the town centre), needs to be taken into account in considering any growth areas.

SUB-P24.6 acknowledges the importance of access to amenities in new growth areas. An extension of an existing *urban area*, where amenities are already provided, will enable new growth areas to more quickly become part of a functional neighbourhood. A situation of isolated residential streets separated from the rest of the town must be avoided.

Directive Approach

SUB-P25 relates to the urban growth of Feilding only and applies a more directive approach than SUB-P24. *Council* has identified specific areas around the periphery of the existing *urban area* for future residential and industrial development. These growth areas were identified based on a multiple criteria analysis of areas suitable/unsuitable for urban development as well as community consultation. Any proposed extension to the boundaries of the growth areas would require careful consideration of environmental and community standards and the necessity for, and appropriateness of extending public services.

To address these urban growth issues, *Council* has prepared Structure Plans for the growth areas (called Precincts). The Structure Plans are based on a series of investigations and illustrate an urban form and structure that responds to individual localities and includes the provision of infrastructure (particularly stormwater), *road* networks, open space networks, density and *site* layout. A range of residential lifestyles and industrial properties are to be provided in order to accommodate growth now and in the future.

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

Council should always look at the capacity for growth within the existing urban boundary. *Infill* development is an efficient use of resources (SUB-O9). Kimbolton and Halcombe have a relatively low density and have the potential to cater for significant development by way of *infill*. Considerable potential for *infill* also still exists in Feilding.

Urban Neighbourhoods

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

The Subdivision Design Guide provides more guidance on developing the subdivisions to meet the urban neighbourhood expectations set out in SUB-09 and the principles set out in the Feilding Framework Plan.

SUB-09 is also relevant for greenfield subdivision and development outside the Feilding township.

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

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

Urban Allotments

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

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

Fragmentation of Natural Areas and River Channels

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

The Plan's rules therefore only permit new boundaries through *indigenous forest* areas or significant wetlands if those areas are to be protected by a *legal covenant*. The same requirement applies to subdivisions which would increase the number of parties who own the bed or fringes

of a lake. Likewise rural subdivision in the coastal area has been made a *discretionary activity* so that its impact upon the coastal environment can be assessed.

SUB-P34 recognises that stream valleys becoming more closely subdivided can lead to pressure from the new owners for the stream to be straightened and stopbanked. Smallblock owners are likely to be less receptive to the stream's shifts in direction than a person who owns the whole stream floodplain and "gains and loses" every time the river shifts. Straightening and stopbanking have an adverse impact on the natural character on the waterway and on its ecological value, e.g. suitability for fish spawning.

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

Methods

District Plan Methods

- SUB-ST17 to SUB-ST27
- Decisions on applications for new General Residential or Settlement zoning around townships.
- Land use controls, and subdivision controls based on average lot size (SUB-ST17 to SUB-ST27).
- Plan rules on farm drainage, water supply and stormwater disposal (SUB-ST17 to SUB-27, and SUB-ST31)
- Information requirements for subdivision applications (GEN – General Approach).
- SUB-ST1 to SUB-ST35 and FIN – Financial Contributions (FIN-CR8).
- Using consent notices on titles to alert buyers to the presence of a hazard.
- Subdivision consent conditions, including consent notices and segregation strips
- Land use consent conditions, including combining vehicle crossings.
- Structure Plan Growth Precincts 1-3 and Subdivision Design Guide.
- *Deferred Residential Zoning* where infrastructure provision is not currently available.
- Considering applications for Plan Changes to extend urban zoning.
- "Concept plan" requirements to show future stages of "*greenfields*" developments (SUB-ST29).

- ~~Development and implementation of Structure Plan *Growth Precincts 1-3*.~~
- ~~Subdivision Design Guide to assist applicants, *Council* officers and decision makers design and assess proposals for greenfield subdivision.~~
- ~~Subdivision consent conditions requiring covenants.~~

Other Methods

- ~~Facilitating advice to land users and purchasers about soil capability, i.e. helping to “match up” versatile soils with the people who need them or who will use them.~~
- ~~Possible tree planting programmes and beautification of appropriate rural areas.~~
- ~~Liaison with rural water supply authorities.~~
- ~~Advice to the public and drainlayers about disposal systems and legal requirements.~~
- ~~Investigating alternatives to the standard septic tank effluent bed systems and setting up demonstration systems where appropriate.~~
- ~~Provision of hazard information through LIM procedures and other avenues, in conjunction with the *Regional Council*.~~
- ~~Persuading people not to proceed with problem subdivisions, or to modify them to take hazards into account.~~
- ~~Construction of side roads to service subdivisions.~~
- ~~Road works to improve traffic safety and flow if justified in terms of cost/benefits and the District’s overall roading priorities.~~
- ~~Local Government Act provisions allowing vehicle crossings to be required when a *building consent* is applied for.~~
- ~~Limited Access *Road* controls administered by Transit New Zealand for State Highways and by *Council* for the former State Highway 56.~~
- ~~Policies on new connections to *Council* services.~~
- ~~Subdivision layout plans being developed when new areas are zoned for urban purposes, and used as a guideline for later development.~~
- ~~*Council* meeting some of the costs involved in design features which have a clear public benefit, e.g. pedestrian accessways.~~
- ~~Possible direct *Council* involvement in developing *infill* sections.~~

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

Environmental Results Anticipated

1. Rural subdivision produces a range of allotment sizes, so that options for the future use of rural land, particularly the versatile land, are not compromised. (SUB-O1).
2. Soil compaction, contamination or removal do not have a significant adverse effect upon the life-supporting capacity of the District's rural soils. (SUB-O1).
3. No more than a minimal amount of versatile land is converted to urban use (SUB-P2).
4. Most residents of new rural allotments have room for consider that they have adequate amenity and satisfactory separation between their dwellings residential units and neighbouring activities. (SUB-O2).
5. Low levels of complaint from such residents about rural activities. (SUB-O2).
6. No significant adverse effects from subdivision upon the landscape quality or the existing character and amenities of the rural zones. (SUB-O3).
7. All new allotments have adequate provision for water supply, stormwater disposal, domestic effluent disposal and farm drainage needs. (SUB-O4, SUB-O5).
8. No dwellings residential units constructed on new allotments are damaged or destroyed by land instability or by floods smaller than a 100 year event. (SUB-O10).
9. There are no instances where the size and shape of a newly subdivided urban allotment is inappropriate for future use. (SUB-O6).
10. There are no traffic accidents attributable to the design or placement of driveways and intersections installed to serve new allotments. (SUB-O7).
11. Himatangi Beach and Tangimoana do not spread any further outward. *Infill* at Halcombe, Bunnythorpe and Kimbolton occurs rather than the extension of these townships. (SUB-O8)
12. Subdivision design in urban growth areas avoids direct access for new allotments to arterial routes. (SUB-O8)
13. No recorded instances where fragmentation of land ownership arising from subdivision adversely affects the natural values of *indigenous forest* areas, lakes, streams, the coastal area or significant wetlands. (SUB-O11)

14. ~~Subdivision layouts for new urban neighbourhoods comply with *Council's* guidelines, and residents of these neighbourhoods are satisfied with the amenities of these areas and their accessibility to the facilities which they need. (SUB-O9).~~

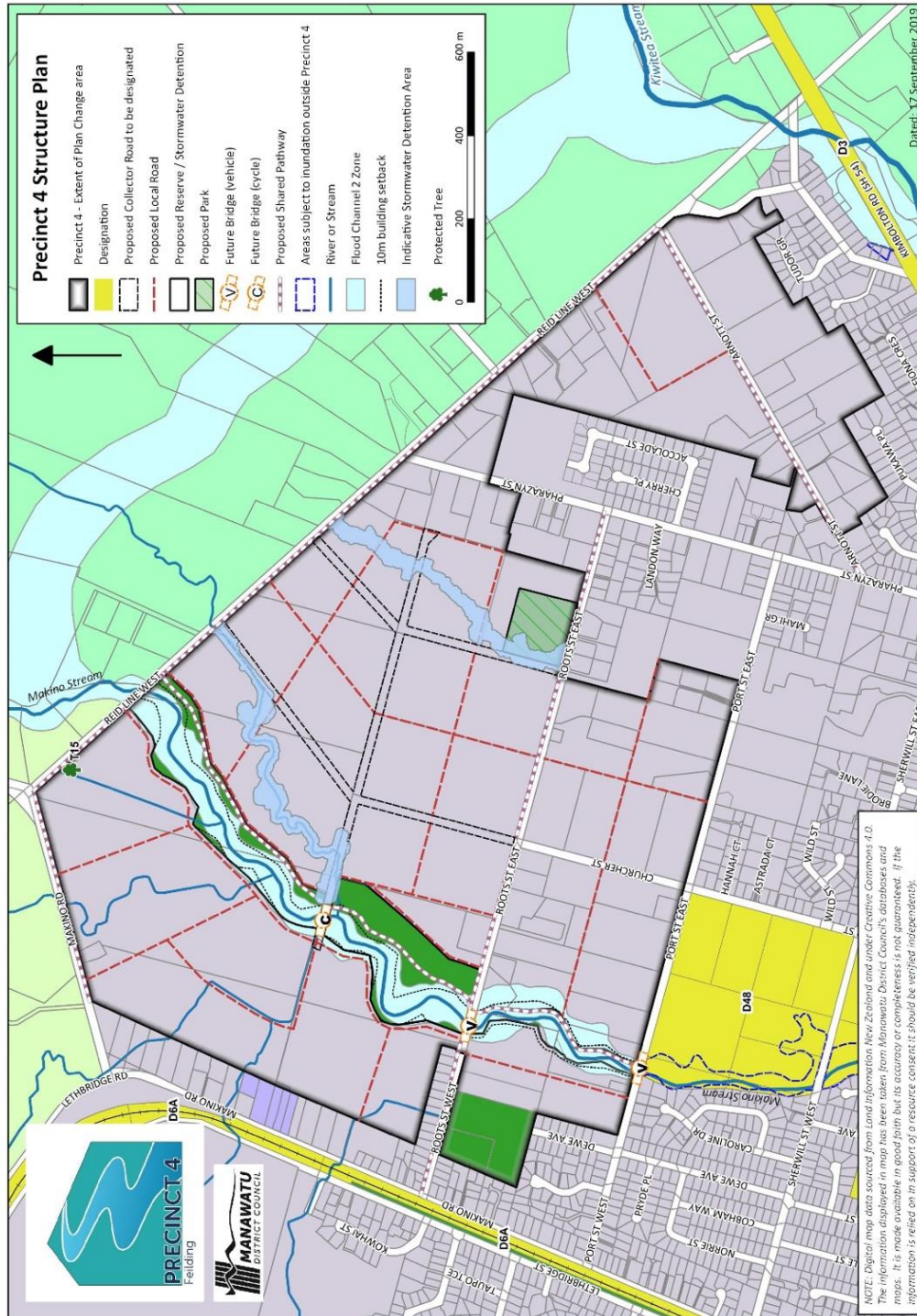
~~Monitoring and Review Procedures~~

The procedures to be used will include:

- a) ~~Monitoring the degree of diversity in allotment sizes which are created as a result of subdivision.~~
- b) ~~Assisting with research into the extent of soil compaction, contamination and removal in the District, including the influence of subdivision upon these factors.~~
- c) ~~Reporting on the areal extent of versatile land which is rezoned to General Residential, Settlement or General Industrial during the planning period.~~
- d) ~~Surveying rural residential dwellers to find out whether they have sufficient separation from neighbours, and recording levels of complaint from such people about rural activities on other properties.~~
- e) ~~Undertaking “snapshot” rural landscape assessments for the District when the Plan is made operative, and prior to the review of the Plan.~~
- f) ~~Working with the *Regional Council* to assess the extent of groundwater contamination from septic tanks in closely settled rural areas.~~
- g) ~~Monitoring damage to dwellings residential units during natural hazard events.~~
- h) ~~Comparing traffic accident records with the database of new subdivisions.~~
- i) ~~Surveying residents of new urban neighbourhoods, and monitoring the extent to which new urban subdivision proposals are meeting the guidelines for sustainable layouts.~~
- j) ~~Monitoring damage to *indigenous forest* areas, lakes, streams, the coastal area and listed wetlands where ownership becomes fragmented by subdivision.~~
- k) ~~Assessing the effectiveness of subdivision consent procedures in avoiding or mitigating the adverse *effects* which this Plan seeks to address, and changing these methods if necessary.~~
- l) ~~Monitoring whether subdivision consents are issued in compliance with the rules in the Plan and whether any ongoing consent conditions are being complied with.~~

[DELETED PCI]

SUB-MAE-APP1 – Maewa (Growth Precinct 4) Structure Plan



SUB-MAE-APP2 – *Maewa (Growth Precinct* 4) Overland Flow Paths



SUB-APP3 – Structure Plan Growth Precincts 1-3



Figure 18 – Structure Plan Growth Precinct 1

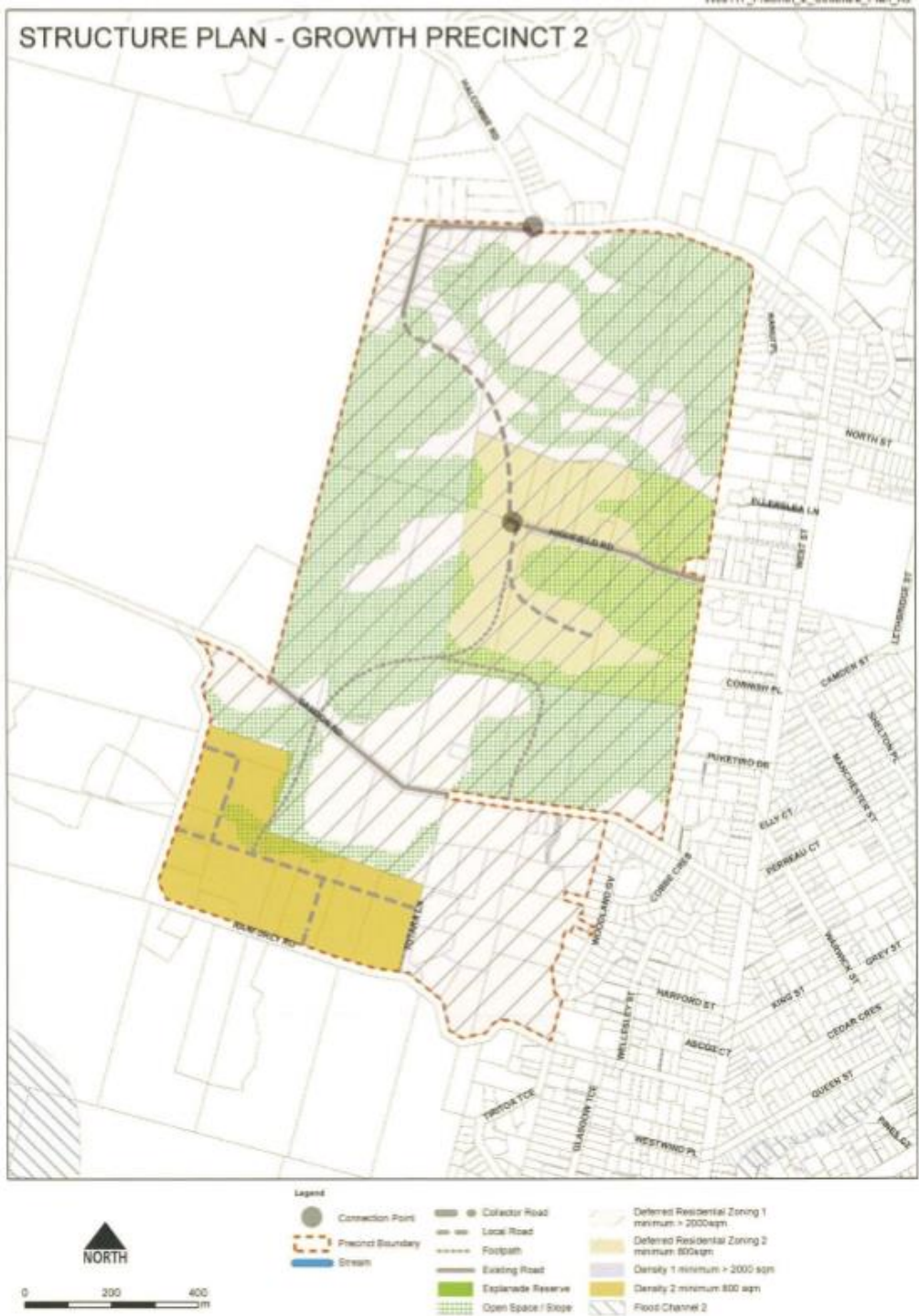


Figure 19 – Structure Plan Growth Precinct 2



Figure 20 – Structure Plan Growth Precinct 3

SUB-APP4 – Rural Subdivision Nodes



Figure 21 - Feilding locality (Refer SUB-R16 to SUB-R23)

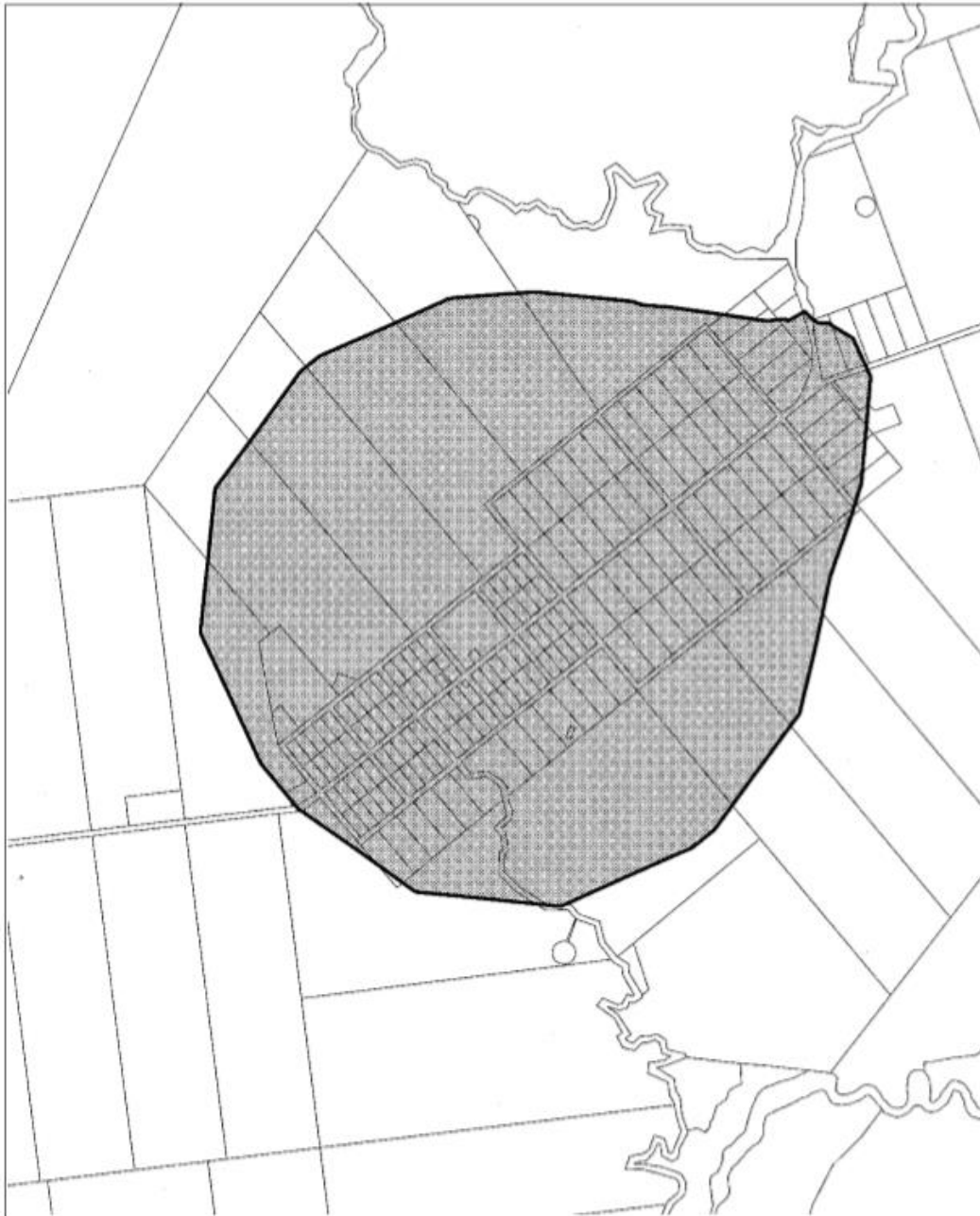


Figure 22 – Rangiwahia Locality (Refer SUB-R16 to SUB-R23)

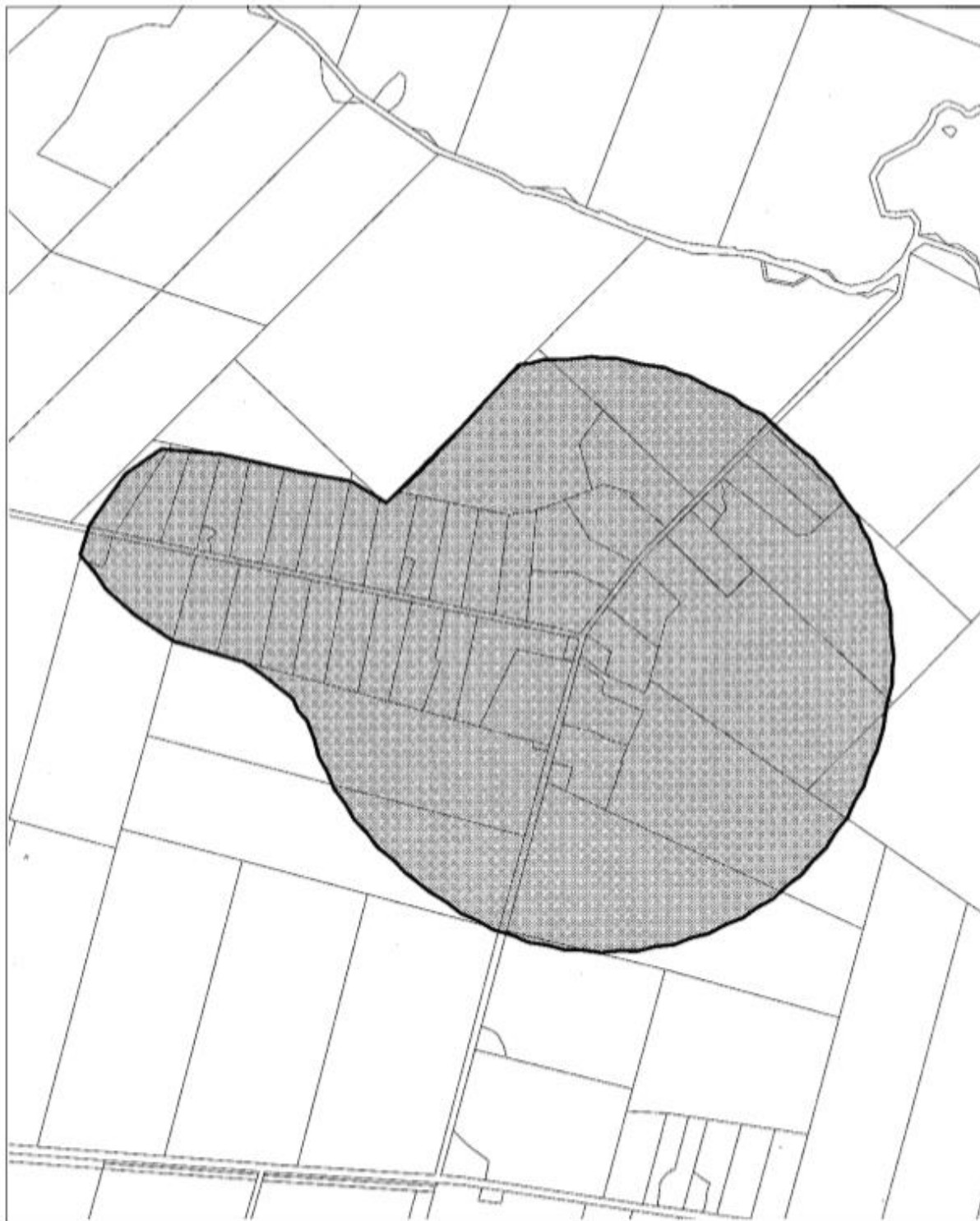
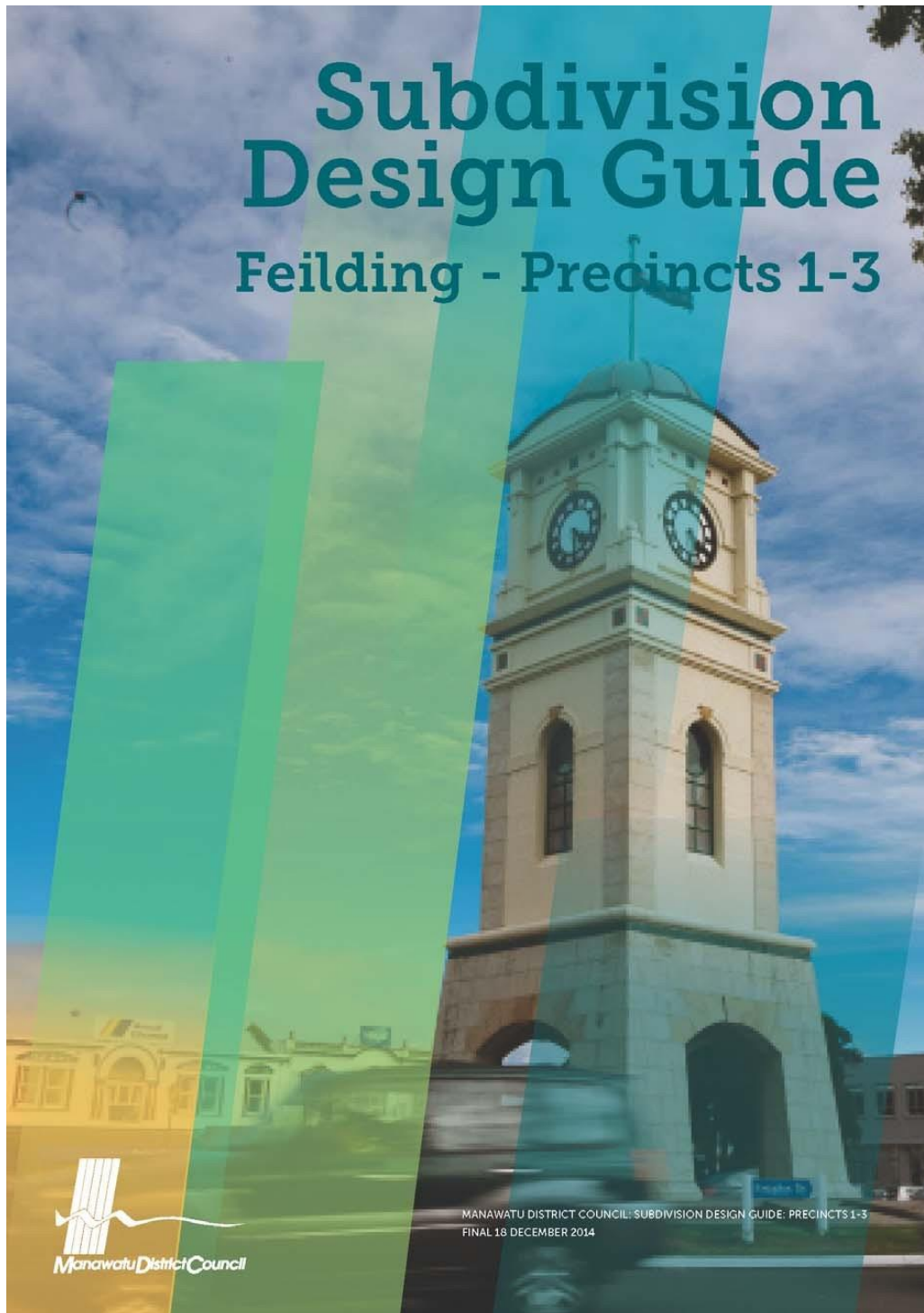


Figure 23 – Hiwinui Locality (Refer SUB-R16 to SUB-R23)

SUB-APP5 – Subdivision Design Guide

Feilding Precincts 1-3



Subdivision Design Guide

Feilding - Precincts 1-3

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01

Introduction

The introduction to the Subdivision Design Guide provides an explanation as to its purpose, relationship to the District Plan and design process.

Subdivision Design Guide Purpose

The purpose of this guide is to give developers and subdivision designers a design process and guidelines on best practice subdivision and infrastructure design.

This guide sets out best practice design principles and illustrates their application in subdivision and infrastructure planning and design within the Feilding Growth areas known as Precincts 1-3 (refer Diagram 1).

The Design Guide provides a set of outcomes and guidelines to inform landowners, developers, potentially affected people and the wider community about subdivision expectations within the Feilding Growth areas.

District Plan Relationship

The Design Guide works in conjunction with the rules and standards in the Manawatu District Plan including the Structure Plans that provide a spatial plan for each of the Growth Precincts.

How it Should be Used

The Design Guide should be used by subdivision designers (be that landowners, surveyors, planners, engineers or others) from the earliest stages of the design process. It will be used by the Council in its assessment and decision making on applications under the District Plan for resource consents for subdivisions.

The Design Guide does not seek to impose rules on new development, or prescribe specific design solutions. Rather, it offers a flexible framework within which developers and surveyors can work. The Design Guide identifies key subdivision design principles to assist the integration of new subdivision development into the surrounding area and to enhance the character of the area.

Developers are encouraged to look beyond the minimum standards and consent requirements of the District Plan and engineering requirements and to explore opportunities that will enhance and create a better urban environment, for now and which will last well into the future.

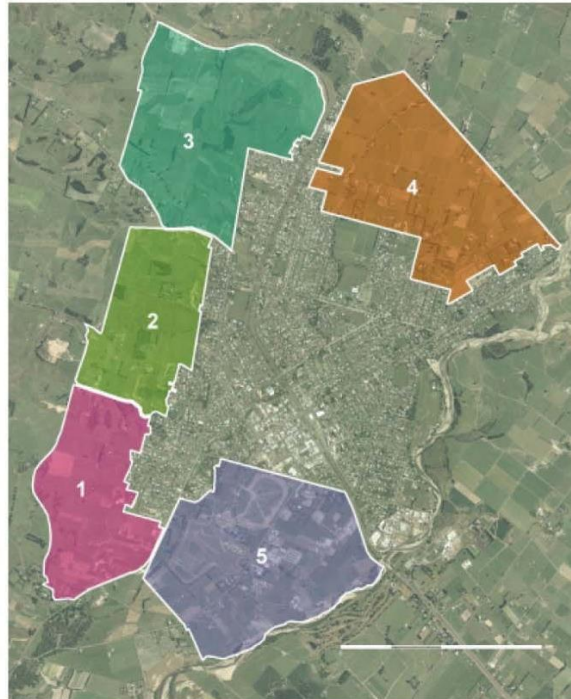


Diagram 1 showing locations and extent of Precincts 1-5

Design Process

To achieve the best outcomes in terms of design effectiveness and process efficiencies, the applicant and or/their advisers should consider the process described in Diagram 2. Diagram 2 illustrates the best approach to addressing design effectiveness and process efficiencies. Applicants and their advisers should consider this process when considering development.

Each of the process steps is described below as actions – these are not intended to be prescriptive, but are common to best practice subdivision design processes.

1. Research

- Be familiar with your site of interest and collect as much information as you can – aerial photos, cadastral plans, titles, any historical information about buildings, previous land uses, hazards such as flooding or slips, large trees, underground or overhead services etc.
- Read the Design Guide to understand what the Council is considering are important in subdivision design. This includes all outcomes, guidelines and landscape advisory notes.
- Look at the District Plan to see what the resource consent requirements are for both subdivision and land uses.
- In the District Plan there is a Structure Plan map. Look at this and locate your property of interest and see what the context is. Also look at any connections that need to be made, slope or open space areas, or buffers for example.
- Consider the professional assistance (eg surveyor, engineer, planner) you may need – each of these have professional institutes and have lists of people in our area to contact.

2. Communicate

- Meet with a Council officer to discuss your ideas. It may be that several different officers (eg to help with infrastructure enquiries, or roading) will need to assist. It may also be beneficial to have an initial meeting and then follow-up meetings as ideas evolve.
- Consider your neighbours' interests. Do you know them and what their plans are? There may be mutual benefits to you and your neighbours if there are road connections to be made for example.
- Council may need to process your subdivision application through a publicly notified process. It is usually good practice to at least know your neighbours' interests prior to that process as often there can be ways of adjusting subdivisions to reduce or eliminate any issues.



Diagram 2.

3. Assess

- There may be areas of the site that are constrained in some way eg by slope, proximity to incompatible uses, flooding hazard. Assess the site with a view to mapping and addressing these constraints.
- Assess the site and map for opportunities in the same way. There may be good views, flatter land, good connection points for streets or paths and proximity to a natural feature like a river for example.
- Overlay these constraints and opportunities on a map to see where the best locations for development areas are.
- If you are using a professional like a surveyor or planner they should do this with/for you. It is very useful to have this as background to support your subdivision application.

4. Design Options

- The position of streets and paths will be influential to the layout for lots and these will also be the likely position for infrastructure. An engineer or surveyor will usually need to be involved in this process.
- It would be advisable to see the Council again with a few options and get officers advice and comments. They will have some thoughts on how well the options satisfy the Design Guide intentions and District Plan rules and Structure Plans.

5. Document

- There are specific requirements that need to be satisfied when applying for a resource consent. Council will advise you of their information needs at your first meeting. It is important to follow this advice as Council will continue to ask for further information until it is satisfied that everything is complete. This will take more time and may add to processing costs for your application.
- Include in the documentation the information and research gathered, including photographs.
- The process of documentation is usually undertaken by a professional as they know the Council requirements and can provide an appropriate level of assessment.
- Submit the documentation to Council.

Outcomes

The outcomes sought by the application of the Design Guide for subdivision in the growth areas around Feilding are set out below. The subdivision and development outcomes sought are benefits in the form of:

- 1** An efficient design and consenting process which derives from early Council engagement and the clarity of Council's expectations as expressed by the guidelines.
- 2** Subdivision design that is responsive to existing on site constraints and opportunities.
- 3** Responsive house lot layouts which recognise the context of the area, or other potential development in the area which could generate conflicts between activities.
- 4** Developments which express the town's rural character and therefore have an identity and character which is unique to Feilding.
- 5** Efficient and cost effective infrastructure provision from clearer 'structure planning' for roads and other services that tie into Council's asset planning.
- 6** Good 'connectivity' within and between new development areas and the existing Feilding township which makes it easy and cost effective for people to move around by driving as well as walking and cycling.
- 7** Streets which are sized to suit the traffic use as well as encouraging walking and cycling. This will result in infrastructure which is cost effective and more attractive to live with and use than large wide unused roads.
- 8** Attractive entrances to the town of Feilding that derive from buffer planting on key entry roads.
- 9** Residential areas where houses all have a street frontage to encourage a healthy and safe community. Also areas where there are multiple opportunities for people to interact and passive surveillance of and from people using the street.
- 10** Safe and good quality open spaces which result from their careful siting, sizing, planting and the passive surveillance gained from adjoining land uses.
- 11** Amenity value of recreation and movement derived from parks, rivers and other open spaces connected as a network.
- 12** Cost effective and sustainable stormwater management through the provision of open stormwater swales in road design and on-site detention of peak flows.
- 13** Future proofing for the needs of future generations through the design of subdivisions to enable increased numbers of houses if required and small local commercial centres when the catchment is sufficient to support them.
- 14** Reduced risk of effects from natural hazards through designing carefully for sloping land areas or areas with flood potential.

Content

The guidelines for Precincts 1-3 focus on the provision of residential land uses.

The guide as it applies to Precincts 1-3 has sections which address:

- Context
- Street and Path Connections
- Density and Lot Layout
- Open Space and Natural Features
- Natural Hazards and Resilience
- Stormwater Management
- Utility Services Networks

For each of those sections there are up to 10 guidance points. The nature of subdivision design is that all of the points across all of the sections are interrelated and need to be considered together. The guidelines are illustrated with photographs and diagrams which are intended to be indicative only.

The Feilding Framework Plan

As background to these Design Guidelines and the District Plan provisions as they apply to the growth areas in Precincts 1-3, Council prepared a Feilding Framework Plan. This Framework Plan examined different forms of existing urban development in the town to understand what forms are most effective for the living environments. The Framework Plan also considered future growth projections and set out key principles of good urban design. An intended outcome from these guidelines is the achievement of those principles.

The Framework Plan also provided long term spatial plans for each of the Precincts that give indicative concepts for how the development could ultimately be provided for over time. The Framework Plan provides an indicative concept for testing infrastructure feasibility, potential yield of lot numbers, residential amenity opportunities, suitability of areas for development and for the purposes of costing of infrastructure.

Development Contributions

In terms of the costs of enabling the development within the Precincts through the provision of infrastructure, Council has determined that this infrastructure will be provided for as part of the Development Contributions Policy. The Structure Plans identify as 'deferred' those parts of the growth areas not considered necessary to meet projected demand over the long term. Services will not be provided to the deferred areas, but Council may consider subdivision applications within those deferred areas if the subdivider makes provision for those services independently of Council.

02 Context

The characteristics of the area around the land to be subdivided will vary from place to place. In order for the subdivision to integrate, connect and take advantage of those characteristics and mitigate any potential adverse effects that may arise from development, the design should be consistent with the following guidelines:

- C1 Consider the long-term future of the area around the subdivision and respond in design layout.
- C2 Consider the external and internal opportunities and constraints for the subdivision area as a deliberate part of the subdivision design process.
- C3 Ensure that at the rural interface, the subdivision design recognises the potential for adverse effects from incompatibility between residential amenity or activities and rural activities. For example, by positioning lots to enable an open space and/or planted buffer to be incorporated.
- C4 Consider that Feilding has a rural-town character and the subdivision design can take advantage of this distinctive attribute in the design of roads, or placement of building sites or open spaces. For example, it may be possible to direct roads to gain views towards rural land or house sites to get a rural aspect.
- C5 Consider the natural landforms in the wider landscape in the subdivision design. For example gaining long views out to hills or gaining the benefits of visual and open space amenity of the two rivers.
- C6 Ensure that subdivision design responds to the local climatic conditions. For example, organise lots so that buildings and outside areas can be positioned to have good sunlight access and shelter (be that from trees or building design) from prevailing winds.
- C7 Ensure that connection points for vehicles and walking/cycling and the adjacent areas (existing or zoned for growth) are provided for with the aim of enabling direct movement to local amenities. For example, the town centre.



Example of Framework Plan

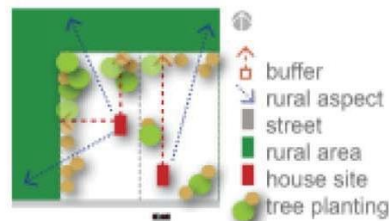


Diagram showing buffer and view opportunities



Example of rural aspect



Example of amenity of rivers

03 Street and Path Connections

The streets and path connections within the growth precincts of Feilding are important for moving people and goods between local destinations, and as public spaces that contribute to the visual and social amenity of the place. The Structure Plans identify the main streets (collectors and some local roads) which are intended to ensure connectivity between land in different ownerships. A more detailed street network (with frequent connections) is required to produce well connected residential subdivisions and the neighbourhoods these form. In order for these connections from subdivision to deliver on both function and amenity, the design should be consistent with the following guidelines:

SP1 Ensure the street network shown on the Structure Plans is provided for in the first instance. Build on this connectivity, making sure street connections are integrated with the existing residential areas and can be extended to deferred zones in the future.

SP2 Ensure the street type reflects the future anticipated role in the district network and as indicated on the Structure Plans. For example, only part of a street may need to be formed in the initial subdivision, but it may need to be added to in the future.

SP3 Ensure that streets and paths are sized for the volume of their vehicle or pedestrian use, including vehicle type. Roads and streets that are too wide are an inefficient use of land, which generate larger stormwater runoff drainage needs, uncomfortably proportioned spaces and higher traffic speeds. For example, the collector and local road cross sections provide a generic guide.

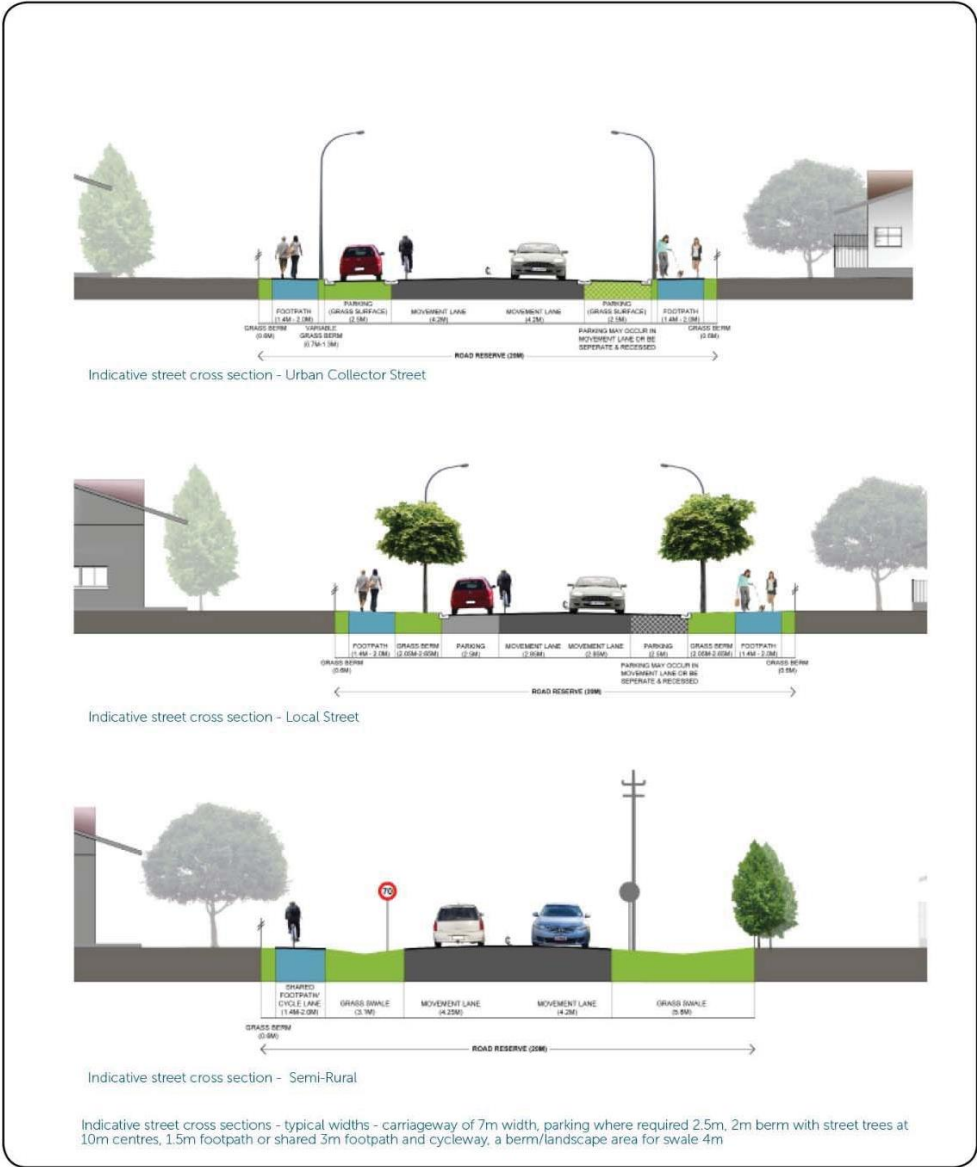
good



poor



The residential good example has the same road reserve width as the poor example. The good example has more amenity - grassed berm and street trees which give it a friendly scale. The poor example is very hard and the road area is over sized for the level of use by vehicles.



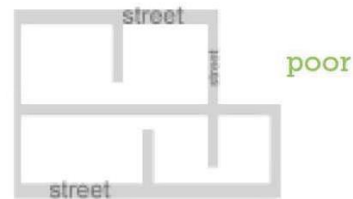
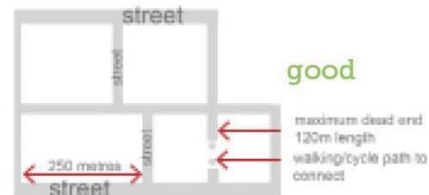
SP4 Ensure that there is good connections between streets. This enables a network that promotes efficient vehicle, walking and cycling movements.

SP5 Ensure that 'dead end streets' or cul-de-sacs are only used where the topography limits the ability to connect streets to others – in Precincts 1-3 there may be these situations. If these dead end streets are proposed for residential areas they should be no longer than 120m in length and preferably have a walking/ cycle path connection from the end to another street.

SP6 Where a public street is not being provided (such as for a small number of lots) and private Right of Way access is being proposed ensure that all private way access is designed to have the same amenity considerations as a street including sufficient width for a path and trees.

SP7 Ensure that streets are designed to include cycling and walking paths with street tree planting in a grassed berm between the road and path. This provides visual amenity and a comfortable separation between activities. For example, the collector and local road cross sections provide a generic guide.

SP8 Ensure that where topographical constraints limit vehicle street connections, that a network of walking and cycle paths of a safe and comfortable size are provided. For example, between hill development areas or from hill development areas down to existing areas below.



Street network diagram - good connectivity and poor connectivity



Example shows path separated from road but still visible to provide passive surveillance

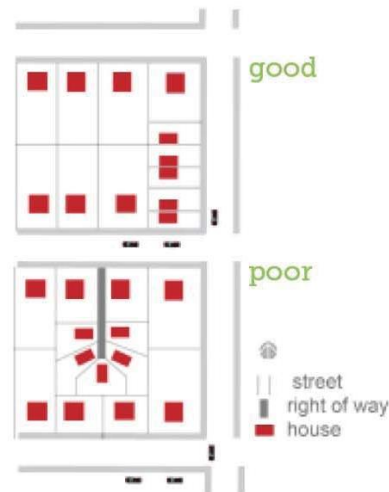


Example shows path connection that can connect between two topographically steep areas

04 Density and Lot Layout

The design of subdivisions, including the placement of streets (which forms the shape of blocks) and lots, is highly influential on the resultant quality of development once houses and other buildings are located there. Street layouts are described in Street and Path Connections above. To ensure the resultant density and layout of the development from subdivision delivers a quality place to live, the design should be consistent with the following guidelines:

- DL1 Ensure that all lots have frontage to a street (or a private way) with a width that is sufficient to enable the house to 'front' the street (or private way). No rear lots should be created.
- DL2 Ensure that for a cul-de-sac street, there is a maximum length of 120m and no more than 20 houses accessed from it. This will ensure that long lengths of disconnected 'dead end' streets are not prevalent in the subdivision design.
- DL3 Ensure that lots that have a boundary to an off road path, open space, river, or park are designed for the house to 'front' to that path, open space, stream or park with windows to a main living space. For example, orientating the local street alongside the path, open space, or stream to encourage house orientation towards it.
- DL4 Consider the provision of a range of lot sizes within the subdivision to provide for diversity in the house types and sizes to recognise the range of housing needs within Feilding.
- DL5 Ensure that larger (ie 2000m² or larger) lot layouts enable a future house to be positioned on that lot (or a further subdivision of that lot). For example, ensure a wide enough street frontage for a new house in the future.



Lot layout diagram - good example shows frontages for all and a two sizes of lots, poor example shows no frontage to small lots at rear.



Example shows frontage of residential properties to a park opposite - the street between the park and residential lots allows the good frontage.

- DL6** Ensure that the slope of the land, including those areas identified on the Structure Plans as Open Space/Slope Areas, is considered in the lot configuration. It is noted that the identified areas are indicative only (ie there maybe other areas outside those shown) and are typically for areas with a slope of greater than 12 degrees. Development on land with a slope of up to 30 degrees may be possible, but erosion potential increases with slope. The guideline is to provide a house site and access that does not require large scale earthworks in the form of large height cuts. For example, buildings may have pile foundations or lots are provided at larger sizes so houses can avoid being built on steeper sloping land (refer also to the Horizons One Plan provisions).

- DL7** Consider the natural land forms in Precincts 1-3 in the positioning of lot boundaries and roads to avoid straight-line boundary fences or roads that cut unnaturally across the landscape. For example, arrange to follow contours or along gullies.

- DL8** Ensure that Open Space/Slope Areas shown on the Structure Plan are considered as part of the subdivision stormwater management network. For example, providing for short term detention of water, overland flow paths or conveyance to watercourses, or soakage.

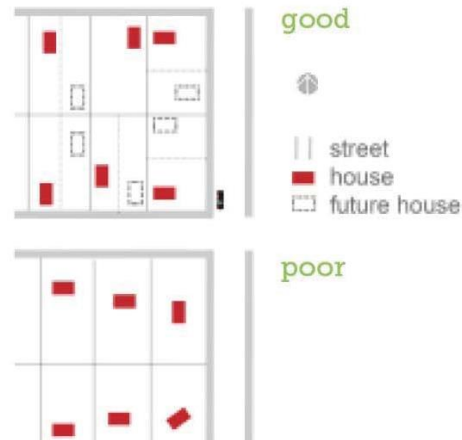


Diagram shows good arrangement of lots and house sites for the larger lot areas to enable later additional density. The poor example shows house sites not well located in terms of providing for future houses.

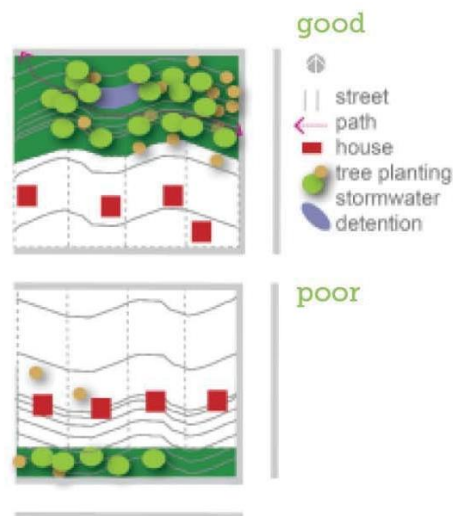


Diagram shows good arrangement of lots away from steeper land, less potential for fence lines cutting across contour, maintenance of vegetated slopes, ability to detain stormwater flow and a walking path link. The poor layout will require significant earthworks to create house locations and access, removes vegetation and will increase stormwater runoff.

05 Open Space and Natural Features

Precincts 1-3 include hillside land which is steep sloping and/or has existing vegetation which contributes to the visual amenity backdrop of Feilding. These hillside areas also contribute to the District's ecological values, as well as stormwater runoff and erosion mitigation.

With the transition of currently rural land to residential uses in the Growth Precincts, there is also a need to consider the range of both formal and informal recreational and social needs of the people that will become resident and work there. In order for the resultant development from subdivision to benefit from the open space and natural features, as well as deliver a quality place to live, the subdivision design should be consistent with the following guidelines:

- ON1** Ensure that public open space is provided for within the growth areas that will provide a local purpose reserve area for residents of the area. The Structure Plans have nominated a location for these in each of the higher density Precincts as required. Other public open space areas may be provided – for example smaller 'pocket parks' can add to the amenity of a new residential area provided these parks are well positioned, sized and shaped.
- ON2** Ensure that public open space is located where it will have surveillance from houses, work places, passing vehicles or walkers/cyclists and is designed to be visually permeable from those streets and paths. For example, ensure that no fences are built, clear stemmed trees are used to form edges to the space to allow people to see out of and into the park, from surrounding streets.
- ON3** Ensure that within the nominated locations for open spaces on the Structure Plans, that the subdivision layout provides for future local centre business (typically small local shops). Also ensure future development does not obscure the open space behind. For example, by the placement of roads to gain shop frontages and allowing for parking on the street.

good



poor



Good example has small street between open space and house front - this allows for low/no fences, provide passive surveillance. The poor example has park at back of house - this leads to fences being built



Structure Plans show locations for larger open spaces and locations for local shops in the future.

- ON4 Ensure that open space is provided for in association with river corridors, gullies, and sloping land for conservation purposes, and as appropriate, for public access and recreation purposes. In some circumstances it is recognised that open space will be private.
- ON5 Ensure that public open spaces, such as those associated with the river corridors, gullies or on steeper slopes, are formed as a network of spaces that allow for active modes of movement (such as walking, cycling, jogging)
- ON6 Ensure that the provision and planting of buffer areas, shown on the Structure Plans, are designed to reflect their role as entry areas to the town and are comprised of large sized street trees that are either underplanted or able to be mown beneath.
- ON7 Ensure that the Crime Prevention through Environmental Design (CPTED) principles are provided for in the subdivision design of open spaces. These can be found on Council's website.

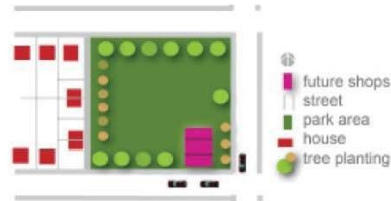


Diagram shows a new neighbourhood park with provision in future for shops. Note the small street at the park edge and smaller lots for houses to face the park



Example shows pathway beside waterbody in natural open space setting (photo Simon Devitt)



Example shows buffer planting of large street trees and underplanting of lower shrubs

06 Natural Hazards and Resilience

The growth areas of Feilding are located both on sloping and flat land where two watercourses (Makino Stream and Oroua River) flow. The natural hazards identified include flooding, liquefaction and erosion on the sloping areas. In order for the resultant development from subdivision to respond to these hazards and generate a resilient urban form, the subdivision design should be consistent with the following guidelines:

- NR1** Ensure that the Open Space/Slope Areas, as shown on the Structure Plans, are recognised and provided for in the layout of the subdivision to maintain some sloping land as open space (refer to Open Space and Natural Features Guidelines). This helps to reduce erosion from runoff and peak flows into water courses in flood.
- NR2** Ensure that stormwater runoff from roads, driveways and building roofs is managed (refer to Stormwater Guidelines) to minimise discharge peak flows. For example, the use of detention capacity in open spaces, rainwater tanks for each house lot, and swales in streets (refer to Streets and Path Connections Guidelines).
- NR3** Ensure appropriate consideration is given to Horizons Regional Council flood hazard mapping, Building Act 2004, and any other relevant Regulations and Codes. Additional site investigations in the Precincts may be required to address these matters.
- NR4** Ensure that infrastructure resilience is considered in subdivision design. For example, by interconnected street access, alternative service (eg water or power) provision, and non-mechanised infrastructure systems.



The Structure Plan identify approximately the sloping areas - these are face or gullies. The photograph show a gully which runs out towards the floodplain from the hill Precincts



The Feilding town sits on a flood plain. It is important to plan new development to recognise hazards and to minimise the extent to which new development may exacerbate them

07 Stormwater Management

Feilding has known stormwater management and flooding issues. Additional urbanisation can exacerbate this issue. The provision of extensive stormwater infrastructure adds to the cost of development. The use of “low impact” design techniques for stormwater management has the potential to be cost effective and minimise stormwater discharges. The subdivision design should be consistent with the following guidelines:

- | | |
|---|--|
| <p>SM1 Ensure that subdivision design for stormwater run-off from the subdivision area is considered in the context of the whole Precinct and considered as a network – for example shared detention systems or network linkages with adjacent areas.</p> | <p>SM3 Ensure that stormwater networks being provided for as part of street design are incorporated into the subdivision design. For example, the collector and local road cross- sections provide a generic guide.</p> |
| <p>SM2 Ensure that stormwater neutrality is achieved in the subdivision. For example, through provision of a combination of open space areas, detention areas, swales, and other on-site management techniques.</p> <p>If the following stormwater management techniques are utilised stormwater neutrality may be achieved within a subdivision:</p> <ul style="list-style-type: none"> i) Providing 16m³ of property level on-site stormwater tank storage which discharges via orifice control to 10m of ‘french’ drain or soakway drain within each property; and ii) Roadside open drains to collect road runoff, directed to detention ponds located at subcatchment level to attenuate flows; and iii) Providing detention ponds with sufficient capacity to retain the road stormwater runoff. <p>Alternatively, the developer will need to apply a robust alternative method of stormwater management which limits any increases in flows to the Makino Stream and Oroua River to:</p> <ul style="list-style-type: none"> i) A maximum impermeable area of less than 100m² per subdivision (including cumulative stages of the subdivision) contributing to the Makino Stream without mitigation; and ii) Pre-development levels in the 1% annual exceedance probability (AEP) plus climate change flood to 2090 to the Oroua River. | <p>SM4 Consider the benefit to stream water quality from stormwater management by minimising hard surface areas (such as parking, driveways, roads etc) and the use of swales and detention areas that gives runoff some settlement and filtering time prior to discharge</p> <p>SM5 Consider the management of roof rainwater and its potential for collection and use for garden watering.</p> |



Examples show the network process – collection of stormwater at source - to rainwater tanks from roofs and to swales from roads, the direction of that runoff to a filtering area and then its discharge finally through a re-vegetated local stream to the receiving water course.

08 Utility Services Networks

The Feilding growth precincts are intended to be more urban than rural in character. Being adjacent to the existing urban area the precincts can readily be connected with utility service extensions for waste water, water supply, stormwater and power, telephone and other utilities. Council plans the supply of its utility assets and any upgrading of capacity according to estimated demand and where this occurs in the network. In order for the design of utilities to be efficient and cost effective, the subdivision design should be consistent with the following guidelines:

- US1 Ensure that the utility provision as part of subdivision design coordinates with Council's wider network design provision.
- US2 Ensure the utility provision is planned for on a Precinct wide basis to provide for maximum efficiencies in the cost of implementation. This planning may include larger capacity infrastructure to provide for future connections.
- US3 Ensure that utility provision is for reticulated services including for waste water unless residential lots are larger than 5000m² in which case these may be able to be serviced on site (refer to Horizons One Plan).
- US4 Ensure provision of utilities by the subdivider/ developer where growth precincts are proposed to be advanced ahead of Council's asset planning and in the deferred areas of development as shown in Structure Plans.

DISTRICT-WIDE MATTERS

ASW – Activities on the Surface of Water

Issues

GEN-I4-[DELETED PCI]

Objectives

ASW-O1	To protect aquatic habitats and ecosystems, residents and other users from the adverse effects of activities on the surface of the District’s rivers and lakes.
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Refer also to GEN-O1, GEN-O2, and ER-O3.

Policies

ASW-P1	To mitigate the effects of surface water use by motorised craft, including noise, traffic, and conflict between users, at sites where such use is having an impact on amenity values or the environment.
ASW-P2	To assist in avoiding, remedying or mitigating the effects of surface water use upon aquatic habitats and ecosystems, particularly any adverse effects from motorised craft.

Rules

Permitted Activities (PER)

ASW-R1	All recreational and boating activities other than those listed as <i>discretionary activities</i> shall be <i>permitted activities</i> on the District's lakes and rivers, provided that they meet the standard below.
ASW-R2	No person shall cause excessive noise by accelerating or racing the engine of a motorised craft while the craft is stationary.

Standards for Permitted Activities

ASW-ST1	No motorised craft on the surface of a lake or river shall cause excessive noise due to the lack of a silencing device, the disrepair of the engine, or the construction or condition of any part of the craft or its machinery.
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Discretionary Activities (DIS)

The following shall be *discretionary activities*:

ASW-R3	Sites for competitions involving motorised craft and held more than twice per year.
	Assessment Criteria: ~~The matters set out in GEN-AC1 to GEN-AC25 will be taken into account in assessing <i>discretionary activities</i>. [DELETED PCI]~~

Non-Complying Activities (NC)

ASW-R4

Any activity which is not categorised by this chapter as being a *permitted* or *discretionary* activity shall be a *non-complying* activity.

Explanation

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

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

Methods

District Plan Methods

- ASW – Activities on the Surface of Water Chapter.

Other Methods

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

[DELETED PCI]

GENERAL DISTRICT-WIDE MATTERS

CE – Coastal Environment

Issues

~~GEN-14, GEN-15, GEN-16, GEN-11 [PC65]~~

[DELETED PCI]

Objectives

CE-O1	To protect the natural character and heritage value of the coastal area from inappropriate subdivision, use and development. (Refer HH-O1 and ER-O3) [PC65]
CE-O2	To ensure continued public enjoyment of the coast. (Refer ER-O1, ER-O2)

Policies

CE-P1	To protect the identified significant natural, cultural and landscape values of the coastal area, including:	
	CE-P1.1	The scenic qualities of the beach and foredunes.
	CE-P1.2	Its ecological values, particularly those of the interdunal lakes, streams and <i>wetlands</i> .
	CE-P1.3	Its recreational value.
	CE-P1.4	Its significance to the Tangata Whenua.
	CE-P1.5	The scientific value of its coastal geology.

	CE-P1.6	Its cultural and archaeological value. [DELETED PC65]
CE-P2	To control the spread of urban development such as at Himatangi Beach and Tangimoana, recognising the following constraints (Refer SUB-O8, NH-O2):	
	CE-P2.1	The potential for sand inundation and erosion at Himatangi Beach.
	CE-P2.2	The possibility of future sea level rise.
	CE-P2.3	Potential impacts upon the above natural and landscape values.
	CE-P2.4	Impact of any growth in Tangimoana upon the ecological value of the adjacent Rangitikei River estuary.
	CE-P2.5	River control and drainage limitations at Tangimoana.
	CE-P2.6	The need to supply adequate sewerage and water supply facilities.
CE-P3	To avoid, remedy or mitigate any adverse <i>effects</i> of rural subdivision upon the natural character and ecological value of the coastal area.	
CE-P4	To maintain or enhance public access to the coast and to help provide the facilities which enable people to enjoy it, in a manner which protects sensitive areas and does not detract from the coast's natural character (Refer ER-O2).	
CE-P5	To avoid, remedy or mitigate any adverse <i>effects</i> of activities in the coastal area upon people, including public safety.	
CE-P6	To promote restoration planting of sand dunes, preferably using indigenous species if practical, and local genetic stock.	

Explanation

ASW-O1 follows on from Section 6 of *the Act*. The Regional Policy Statement recognises the District's coastline, namely the beach, foredunes and interdunal lakes and wetlands, as an outstanding landscape. It has a number of other policies relevant to management of the coast. The Government's NZ Coastal Policy Statement also provides some overall direction. It states that "It is important to maintain biological and physical processes in the coastal area in as natural a condition as possible, and to recognise their dynamic, complex and interdependent nature."

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

Dune lakes, swamps and young dunes are very poorly represented in the District's coastal area. The coastal strip of the District where sand is still drifting or has been stable for no more than 50 years is particularly important ecologically due to the distinctive plant communities which it supports. It has been identified on the Planning Maps as the "coastal vegetation area" and is subject to special controls on clearance of vegetation for this reason. (Refer HH APP4). The focus should be on preserving the ecological values of these remaining *natural areas*, and on maintaining open spaces which play an important ecological role along the coastal fringe. Adjacent land uses can have adverse effects on *natural areas* and the natural character of the coastal environment by eliminating open space, covering dune landforms, or altering the water table of *wetlands*. Council will assist bodies such as the Department of Conservation in working alongside landowners to actively protect their *natural areas*.

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

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

There are a number of good reasons for being cautious about further development in the coastal area. As well as landscape and ecosystem impacts, the potential natural hazards and

servicing constraints justify a policy of limiting urban growth. For these reasons the Plan's rule allowing possible development of rural house allotments (down to 4000 m² in size) as a *discretionary activity* around many of the District's villages does not apply to Himatangi Beach or Tangimoana. Likewise rural subdivision in the coastal area has been made a *discretionary activity* so that its impact upon the coastal *environment* can be assessed (Refer SUB-R13 to SUB-R20).

Methods

District Plan Methods

- SETZ, GRUZ, SUB, and ER chapters
- GRUZ-R33 and NH-R18

Other Methods

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

[DELETED PCI]

DISTRICT-WIDE MATTERS

ER – Esplanade Reserves

Introduction

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

- a. The preservation of the natural character of the coastal *environment*, (including the coastal marine area), wetlands and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use and development, and
- b. The maintenance and enhancement of public access to and along the coastal marine area, lakes and rivers.”

Management of the land near the water’s edge is sometimes called “riparian management.” The “coastal *environment*” of the Manawātū District can be thought of as the land within 4km of the ocean, and the “coastal marine area” referred to above is the area below mean high water springs. (CE – Coastal *Environment*).

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

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

- c. To enable public recreational use of the *esplanade reserve* or esplanade strip and adjacent sea, river or lake, where the use is compatible with conservation values.”

Objectives

ER-O1	To maintain and enhance public access to and along the District’s coastline and rivers (Refer also HH-O5, CE-O2).
ER-O2	To maintain and enhance opportunities for public recreational use of the coastline and rivers (Refer also HH-O5, ASW-O1, CE-O2).
ER-O3	To preserve the natural character of the coast, <i>wetlands</i> , lakes and rivers and their margins (Refer also HH-O1, HH-O5, and CE-O1).[PC65]
ER-O4	To protect areas of significant <i>indigenous vegetation</i> , <i>wetlands</i> and aquatic habitats (Refer also HH-O1, HH-O5, SUB-O11). [PC65]
ER-O5	To promote riparian management practices which improve the quality and natural functions of adjacent water bodies. (Refer also GEN-O1, SUB-O11, and EI-O7)
ER-O6	To maintain the efficiency of river control and drainage schemes (Refer also INF-O1, INF-O2).

Policies

ER-P1	To be pro-active in establishing new public access, rather than only taking the opportunities which arise when properties are developed or subdivided.
ER-P2	To use esplanade management to protect the significant conservation values and to enhance the water quality of Lake Kaikokopu, Lake Omanuka, Karere Lagoon and Hamilton’s Bend Lagoon. Public access to these places will not be sought.

ER-P3	To protect the conservation values of those riparian margins which have a high value due to areas of <i>indigenous vegetation</i> adjoining the water's edge, including the Mangaone West Stream between Te Rakehou Rd and Awahuri Rd.	
ER-P4	To seek better public access to the coast and the District's major rivers, namely the Rangitikei, Manawatū, and Oroua Rivers.	
ER-P5	To work toward the establishment of walkways along the following stretches of river:	
	ER-P5.1	Mangaone Stream between Bunnythorpe and Palmerston North.
	ER-P5.2	Makino Stream - between Reids Line West and Port Street, between Beattie Street and Denbigh Street and between Rata Street and Kitchener Park.
	ER-P5.3	Kiwitea Stream between Reids Line West and the Oroua River.
	ER-P5.4	Oroua River (right bank) between the Kiwitea Stream confluence and the Feilding Sewage Treatment Plant.
ER-P6	To improve public access for recreation to those parts of the following streams which are relatively close to formed <i>road</i> access or reserves:	
	ER-P6.1	Pohangina River
	ER-P6.2	Mangoira, Makiekie and Mangahuia Streams
	ER-P6.3	Waituna Stream - Rangitikei confluence to Waituna West.
	ER-P6.4	Mangawharariki River.
	ER-P6.5	Kiwitea Stream between Mangamako <i>Road</i> and Reids Line West
ER-P7	To preserve future opportunities for <i>esplanade reserves</i> or strips to be established along the edge of rivers and lakes.	

ER-P8	To maintain the level of access provided by existing public roads along the water's edge.
ER-P9	To take public safety, the presence of other legal access, land topography, accessibility, and proximity of ~~dwellings~~ <u>residential units</u> into account when deciding whether to require a particular <i>esplanade reserve</i> or strip for public access. [PCI]
ER-P10	To require esplanade management measures (including the creation of esplanade strips) as a condition of land use consent if needed to mitigate a potential adverse <i>effect</i> upon the waterway.
ER-P11	To compensate subdividers for the loss of land vested as <i>esplanade reserves</i> and for the loss of use of land subject to esplanade strips, irrespective of the size of the allotment concerned.
ER-P12	To maintain access along the edge of rivers and Drainage Scheme drains for stopbank or drain maintenance.

Circumstances

ESPLANADE RESERVES

Circumstances (CR)

ER-CR1

Council will not require an *esplanade reserve* to be set aside from land being subdivided or roads being stopped, unless:

ER-CR1.1

The land is located within Feilding township and adjoins the bank of the Oroua River or Kiwitea Stream.

ER-CR1.2

The land adjoins the Makino Stream between Beattie and Denbigh Streets, and lies within the land comprised in Land ID 7032, or

ER-CR1.3

The land adjoins the coast.

ESPLANADE STRIPS

Circumstances (CR)

ER-CR2

An *esplanade strip* for public access purposes will be required (subject to ER-ST1 to ER-ST6) over land being subdivided or roads being stopped which adjoin:

ER-CR2.1

The Rangitikei or Manawatū Rivers.

ER-CR2.2

The Oroua River downstream of the Ruahine Forest Park.

ER-CR2.3

The Mangaone Stream downstream of the Main Trunk Railway.

ER-CR2.4

The Kiwitea Stream between Reids Line West and the Oroua River.

ER-CR2.5

The Makino Stream, between Reids Line West and Port Street, or between Rata Street and Kitchener Park.

ER-CR3	An <i>esplanade strip</i> for public access purposes up to 1km from any existing <i>road</i> access point or reserve will be required (subject to ER-ST1 to ER-ST6.4) over land being subdivided or <i>roads</i> being stopped which adjoin:	
	ER-CR3.1	The Pohangina River.
	ER-CR3.2	The Mangoira, Makiekie or Mangahuia Streams.
	ER-CR3.3	The Waituna Stream downstream of SH 54.
	ER-CR3.4	The Kiwitea Stream between Mangamako <i>Road</i> and Reids Line West.
	ER-CR3.5	The Mangawharariki River.
ER-CR4	<i>Council</i> may require an <i>esplanade strip</i> to be created for water quality and/or conservation purposes over land being subdivided or roads being stopped which adjoin: (The <i>esplanade strip</i> documents for these lakes shall exclude public access).	
	ER-CR4.1	Lake Kaikokopu.
	ER-CR4.2	Lake Omanuka.
	ER-CR4.3	Karere Lagoon.
	ER-CR4.4	Hamilton's Bend Lagoon.
ER-CR5	<i>Council</i> may require an <i>esplanade strip</i> to be created for conservation purposes over land being subdivided or <i>roads</i> being stopped which:	
	ER-CR5.1	Include <i>indigenous vegetation</i> which is regarded as significant in terms of the criteria in HH-APP3.
	ER-CR5.2	Adjoin the Mangaone West Stream between Te Rakehou <i>Road</i> and Awahuri <i>Road</i> , unless that area is protected by a <i>legal covenant</i> .
ER-CR6	The provision of <i>esplanade strips</i> will be subject to the standards and exemptions in ER-ST1 to ER-ST6.	

LAND USE CONSENTS

Circumstances (CR)	
ER-CR7	When considering applications for land use consent, <i>Council</i> may require an <i>esplanade strip</i> for water quality and/or conservation purposes to be created, if the proposal is likely to have a significant adverse <i>effect</i> upon:
	ER-CR7.1 Water quality,
	ER-CR7.2 The natural functioning of an adjacent river or lake, or
	ER-CR7.3 The natural values associated with the riparian margin of any adjacent river or lake, and if an <i>esplanade strip</i> is necessary to mitigate those adverse <i>effects</i> .

Width of Reserves and Strips

STANDARDS AND EXEMPTIONS	
ER-ST1	<i>Esplanade reserves</i> will be 10 metres wide if adjoining the portion of the Makino Stream specified in ER-CR1 above, and 20 metres wide if adjoining other water bodies.
ER-ST2	<i>Esplanade strips</i> for public access purposes will be 10 metres wide, unless a greater width is needed to provide a workable walkway.
ER-ST3	<i>Esplanade strips</i> for water quality and/or conservation purposes are to be 20 metres wide.
ER-ST4	The standard widths in ER-ST1 or ER-ST2 above may be reduced in circumstances where:
	ER-ST4.1 Other parts of the reserve or strip are correspondingly wider,
	ER-ST4.2 A full width reserve or strip would pass too close to an existing ~~dwelling~~ <i>residential units</i> , or [PCI]
	ER-ST4.3 The objectives of the reserve or strip can still be met by a reduced width.
ER-ST5	Esplanade strips for public access may be dispensed with altogether in cases where <i>Council</i> is satisfied that:
	ER-ST5.1 Adequate legal access to the water body is provided by a legal <i>road</i> (formed or not)
	ER-ST5.2 Access along the other side of the water body is more practical, and access is not needed on both sides
	ER-ST5.3 Topography along the strip makes access unworkable
	ER-ST5.4 The <i>site</i> of the strip is unlikely to ever be accessible from a public <i>road</i> , or
	ER-ST5.5 The strip would lead to an area of <i>indigenous vegetation</i> or <i>wetland</i> , and public access would be incompatible with the effective protection of that area

	ER-ST5.6	The purpose of the strip can be achieved by other methods, e.g. covenants, or
	ER-ST5.7	Public safety would be compromised by providing a strip.
ER-ST6	<i>Esplanade strips</i> for water quality and /or conservation purposes may be dispensed with wholly or partially. Any application to reduce or waive an <i>esplanade strip</i> will be assessed having regard to the following matters:	
	ER-ST6.1	The extent to which the natural functioning of the water body, water quality, and land and water-based habitats will be affected by any reduction in the width, size or non-provision of the strip,
	ER-ST6.2	The degree of protection of the natural values associated with the strip that will remain,
	ER-ST6.3	The degree to which the purpose of the strip can be, or is already, achieved by other mechanisms, (e.g. covenants, conditions of resource consents, voluntary methods) and,
	ER-ST6.4	The extent to which the public benefits gained with respect to the strip justify the cost of acquiring and maintaining the strip, while recognising that important benefits in terms of improved water quality, habitat and access cannot readily be expressed in monetary terms.

Explanation

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

The Act provides special scope for new public access points to be secured when a property is subdivided or developed. Progress in establishing riverside walkways would however be

extremely slow if *Council* just waited for the adjoining properties to be subdivided. Some properties may never be subdivided. This means that *Council* needs to actively negotiate the acquisition of access, especially where one or two links are needed to complete a desired walkway.

Council aims to work toward better public access to the coast and the full length of the Rangitikei, Oroua and Manawatū rivers. The aim is also to establish walkways along the specific waterways listed in ER-P5 which adjoin Feilding and Palmerston North and where future demand for walking opportunities is likely to be strongest. ER-P6 aims to provide extra options on other streams for casual recreation such as picnicking, in spots which are readily accessible from roads, i.e. up to 1km from bridges and other access points.

The Department of Conservation and the *Regional Council* also have responsibilities (and greater expertise) in protecting conservation values and water quality. The *Regional Council* has prepared a land and riparian management strategy which adopts a nonregulatory approach to riparian management. This Plan aims to complement Department of Conservation and *Regional Council* actions by recognising the natural values associated with riparian areas, by taking these values into account when managing development and subdivision, and by providing direct protection to some areas. (HH-Q1).

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

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

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

River user groups have supported the idea of *Council* adopting an information role. This involves identifying where legal access to water bodies exists now (e.g. paper road access), telling the public and user groups about it, and perhaps signposting or providing poled routes.

(Landowner liaison is needed before any signposts go up). *Council* has already mapped all legal road access and existing reserves along the District's rivers. These maps are available for people to consult at the *Council* office. A necessary adjunct to improving access is then to help educate people about the duty of care which results from having the privilege of access. This will include providing appropriate *signs*, e.g. to tell people that dogs on an esplanade strip must be kept on a lead.

ER-O6 recognises the importance of river control and drainage works to the District. Such works could be compromised if *buildings* were erected so close to waterways that they obstructed access for machinery engaged in drain clearing or stop-bank maintenance. *Buildings* can also limit *Council's* opportunities to later acquire a workable esplanade strip or *esplanade reserve* next to a water body. As a result, the Plan includes *building setback* distances from waterways. In some cases there will also be *building* restrictions because of the flood risk arising from the waterway (see the NH – Natural Hazards chapter). The *Regional Council* has controls on people *building* close to or undermining the structural integrity of stop-banks.

ESPLANADE RESERVES AND STRIPS

These are tools created by *the Act* which the Plan can use to achieve Objectives ER-O1 to ER-O6.

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

This Plan specifies which water bodies *esplanade reserves* will apply to, and the width of the reserve which will be sought. (Refer ER-R1 and ER-ST1 to ER-ST6). *Esplanade reserves* will be required irrespective of the size of the allotment being created.

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

Esplanade strips also involve pieces of land of defined width (usually 20m) along the water's edge. Instead of being transferred to the *Council*, though, *esplanade strip* land remains in the owner's possession. A legal agreement is drawn up, obliging the landowner to allow public

access or recreation and/or protect conservation values on the strip. This agreement is registered on the land title concerned and binds future landowners. *The Act* prescribes standard conditions applying to use of all *esplanade strips* including bans on vandalism and stock interference. Different sets of requirements can apply to strips, depending on whether they are created for protection of conservation values, for recreation, for public access, or for a mixture of these things. For example public access can be banned from conservation strips.

Personal safety and security can be a concern for landowners if public access is created along waterways through their properties. On the unformed and less-used walkways much of this concern can be overcome by the landowner being able to “keep tabs” on who is using the strips across their property. *Council’s* standard *esplanade strip* agreement for public access (see Figure 24) therefore contains a condition that all persons using a strip which does not contain a walkway formed or marked by the *Council* must advise the landowner concerned prior to use. The strip also must not be used during the hours of darkness.

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

Esplanade strips do not need to be surveyed and move with any changes of river direction to maintain practical public access. (If rivers shift, fixed *esplanade reserves* can end up in the middle of the river bed!) This Plan lists the water bodies along which strips will be sought (Refer ER-CR1 to ER-CR7.3). If *Council* requires strips on allotments of 4ha and over, compensation for the loss of use of land is payable under the *Act*. Any additional survey and fencing costs will also enter into the compensation calculations. (*Esplanade strips* for water quality purposes for example need to be fenced to keep out stock in order to grow a vegetation buffer).

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

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

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

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

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

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

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

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

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

Figure 24 – Excerpt from Council's standard esplanade strip agreement

Landowners have duties under the Health and Safety in Employment Act 1992 to warn visiting people about hazards on their property. Since these responsibilities will be increased by visitors

using an *esplanade strip*, Council should assist in identifying hazards and by providing signage where appropriate. Any hazards resulting from work carried out by the Council, such as track clearance, will be Council's responsibility.

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

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

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

Methods

District Plan Methods

- ER – Esplanade Reserves Chapter
- *Building setbacks from the water's edge.*

Other Methods

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

Environmental Results Anticipated

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

Monitoring and Review Procedures

The procedures to be used will include:

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

[DELETED PCI]

DISTRICT-WIDE MATTERS

EW – Earthworks

Introduction

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

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

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

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

Issues

EW-11	Potential adverse <i>effects</i> resulting from <i>earthworks</i> can detract from the <i>amenity values</i> of the District.
EW-12	<i>Earthworks</i> can result in or increase the risk of land instability.
EW-13	<i>Earthworks</i> can result in adverse <i>effects</i> on historic heritage values.
EW-14	<i>Earthworks</i> can result in adverse <i>effects</i> on the values that cause a natural feature or landscape to be outstanding.
EW-15	Increased risk of natural hazards when overland flow paths or stormwater drains/swales are changed through <i>earthworks</i> .

EW-I6

~~*Earthworks can compromise the safe, efficient and effective functioning of established network utilities including regionally and nationally significant infrastructure.*~~

[DELETED PCI]

Objectives

EW-O1

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

EW-O2

To ensure that *earthworks* are designed and undertaken in a manner to minimise the risk of land instability and accelerated erosion.

EW-O3

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

Policies

EW-P1

To mitigate any visual amenity *effects* arising from *earthworks*.

EW-P2

To restrict *earthworks* within the area of items scheduled in HH-APP1, HH-APP2, HH-SCHED2, HH-SCHED3, HH-SCHED4 and TREE-SCHED1. [PCH(a), PCH(b)]

EW-P3

To restrict *earthworks* in Outstanding Natural Features or Landscapes as scheduled in NFL-APP1, except where *earthworks* are necessary to manage risk to human health and safety. [PC65]

EW-P4

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

EW-P5	To manage the scale of <i>earthworks</i> on <i>sites</i> susceptible to erosion and land instability.
EW-P6	To require rehabilitation measures be undertaken to avoid accelerated erosion following <i>earthworks</i> .
EW-P7	To ensure all adverse <i>effects</i> from <i>earthworks</i> including dust and sediment run-off are managed onsite so that particulate matter does not cause a nuisance or affect the safety or operation of other activities.
EW-P8	To ensure that <i>earthworks</i> do not affect the functioning of known overland flow paths.
EW-P9	To control <i>earthworks</i> within the <i>National grid Yard</i> to ensure the continued safe, effective and efficient access to and operation, maintenance and upgrading of the <i>National grid</i> .
EW-P10	To control <i>earthworks</i> near <i>infrastructure of regional and national importance</i> to ensure their safe and efficient operation, maintenance and upgrading.

Rules

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

Permitted Activities (PER)

The following are *Permitted Activities* in all *zones*, except the General Rural and Flood Channel *Zones* provided that they comply with the standards in EW-ST1 – EW-ST9 below.

EW-R1	<i>Earthworks</i> , other than in an Outstanding Natural Feature or Landscape.
EW-R2	<i>Earthworks</i> for the purposes of burying material infected by unwanted organisms as declared by the Minister under the Biosecurity Act 1993.

Guidance Notes:

1. Water takes, diversions, discharges and *earthworks* are also regulated by the Manawatū-Wanganui *Regional Council* and a resource consent maybe required under the rules of the One Plan.
2. *Earthworks* near or within areas of cultural and natural heritage values may also require an Archaeological Authority under the Heritage New Zealand Pouhere Taonga Act (2014). It is an offence to modify or destroy an archaeological *site* or demolish/destroy a whole *Building* if the person knows or reasonably suspects it to be an archaeological *site*. An archaeological *site* is any place, including any *Building* or structure (or part of), that:
 - a. was associated with human activity or the *site* of a wreck of a vessel that occurred before 1900; and
 - b. provides or may provide, through archaeological investigation, evidence relating to the history of New Zealand.
3. The disposal of contaminated material, including unwanted organisms, may require resource consent from the Manawatū-Wanganui *Regional Council* under the rules of the One Plan.
4. Refer also to TREE-R3 in the TREE – Notable Tree Chapter for additional rules about earthworks in relation to notable trees.

Standards for Permitted Activities

The *Permitted Activities* specified in EW-R1 and EW-R2 must comply with the following standards:

EW-ST1	Any sediment run-off from <i>earthworks</i> must be contained within the subject <i>site</i> .
EW-ST2	All dust and sedimentation control measures must be installed prior to <i>earthworks</i> commencing, maintained during the construction works, and only removed once stabilisation occurs.
EW-ST3	<i>Earthworks</i> must not be undertaken closer than 20m of the banks of the Oroua River or Kiwitea Stream.

EW-ST4	<i>Earthworks</i> must not be undertaken closer than 10m of the banks of the Makino Stream.	
EW-ST5	<i>Earthworks</i> must not be undertaken within any area identified in HH-APP1, HH-APP2, TREE-SCHED1 and HH-SCHED4.	
EW-ST6	Earthworks undertaken in the National Grid :	
	EW-ST6.1	Around <i>National grid</i> support poles and stay wires:
	EW-ST6.1.a	Depth shall be no greater than 300mm within 2.2m of the pole or stay wire; and
	EW-ST6.1.b	Depth shall be no greater than 750mm between 2.2m and 5m of the pole or stay wire.
	EW-ST6.2	Around <i>National grid</i> support towers (including any tubular steel tower that replaces a steel lattice tower):
	EW-ST6.2.a	Depth shall be no greater than 300mm within 6m of the outer edge of the visible foundation of the tower; and
	EW-ST6.2.b	Depth shall be no greater than 3m between 6m and 12m of the outer edge of the visible foundation of the tower; and
	EW-ST6.2.c	Shall not compromise the stability of a <i>National grid</i> support structure, and
	EW-ST6.2.d	Shall not result in a reduction in the ground to conductor clearance distances below what is required by Table 4 of NZECP34:2001.
	EW-ST6.3	Provided that the following earthwork activities are exempt from the provisions EW-ST6.1 to EW-ST6.2:

		EW-ST6.3.a	By a <i>network utility</i> operator within a transport corridor as part of a transmission activity or for utility infrastructure, or	
		EW-ST6.3.b	As part of agricultural or domestic cultivation, or	
		EW-ST6.3.c	Repair, sealing or resealing of a <i>road</i> , footpath, driveway or farm track	
		EW-ST6.3.d	Any vertical holes not exceeding 500mm in diameter provided they are:	
			EW-ST6.3.d.i	More than 1.5m from the outer edge of a pole support structure or stay wire; or
			EW-ST6.3.d.ii	A post hole for a farm fence or horticulture structure and more than 6m from the visible edge of a tower support structure foundation.
		Guidance Note: The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) contains restrictions on the location of structures and activities in relation to all electricity lines. Compliance with the Code of Practice is mandatory. Compliance with the permitted activity standards of the Plan does not ensure compliance with the Code of Practice.		
EW-ST7	No <i>earthworks</i> , <i>buildings</i> or structures can be undertaken or erected within 20m of a natural gas transmission pipeline.			
EW-ST8	<i>Earthworks</i> must comply with the standards specified in Table 4.			
EW-ST9	<i>Earthworks</i> must not block any stormwater or overland flow paths.			

Table 4 - Earthwork volumes per site

Zone	Minimum Setback From Site Boundary	Maximum Area Per Site Exposed at Any One Time	Maximum Permitted Volume Per Site in any 12 Month Period	Maximum Change To Existing Ground Level
General Residential, Settlement & Town Centre <i>Zones</i>	1.5m	500m ²		1.5m
Mixed Use & General Industrial <i>Zones</i>	3m		500m ³	1.5m
Manfeild Park & Special Development <i>Zones</i>	3m		500m ³	1.5m
Open Space <i>Zone</i>	1.5m		500m ³	1.5m

Guidance Notes:

1. The restrictions above do not apply to land based quarrying activities which are managed in the General Rural *Zone* of this Plan.
2. *Earthworks* are also regulated by the Manawatū-Wanganui *Regional Council* and a resource consent may be required under the rules of the One Plan, or any subsequent Regional Plan. The One Plan requires Erosion and Sediment Control measures to comply with the Greater Wellington *Regional Council's* Erosion and Sediment Control Guidelines dated September 2002.
3. The National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (2011) also applies to *earthworks* and a resource consent may be required under those provisions.
4. Where *earthworks* are to be undertaken within 20m of any electricity line or high pressure gas transmission line, the owners of the electrical or gas network should be advised of the intention to carry out the works not less than 5 working days prior to their commencement.

5. *Earthworks* that may or will modify or destroy an archaeological *site* require an Archaeological Authority under the Heritage New Zealand Pouhere Taonga Act (2014). It is an offence to modify or destroy an archaeological *site* or demolish/ destroy a whole *Building* if the person knows or reasonably suspects it to be an archaeological *site*. An archaeological *site* is any place, including any Buildings or structure (or part of), that:
- Was associated with human activity or the *site* of a wreck of a vessel that occurred before 1900; and
 - Provides or may provide, through archaeological investigation, evidence relating to the history of New Zealand.

Restricted Discretionary Activities (RDIS)

EW-R3

Any *earthworks* undertaken in the *National grid Yard* that do not comply with the standards for *permitted activities* EW-ST6.1, EW-ST6.2.a, EW-ST6.2.b.

Matters of Discretion (MD)

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

EW-MD1	Any <i>effects</i> on the operation of the <i>National Grid</i>
EW-MD2	Volume, area and location of the works, including <i>temporary activities</i> such as stockpiles
EW-MD3	Hours of operation and time of year the proposed works will occur
EW-MD4	<i>Site</i> remediation
EW-MD5	The use of mobile machinery within the <i>National Grid Yard</i>

	EW-MD6	Demonstrated compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001).
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Discretionary Activities (DIS)

The following activities are a *Discretionary Activity*:

EW-R4	Any <i>earthworks</i> that do not meet the Permitted Activity standards, or are not specifically provided for in this Plan.
EW-R5	Any <i>earthworks</i> within an Outstanding Natural Feature identified in NFL-APP1 or Significant Amenity Feature identified in NFL-APP2 [PC65].
EW-R6	Any earthworks associated with a new <i>National Grid transmission line</i> within an Outstanding Natural Landscape identified in NFL-APP1. [PC65]

Guidance Note:

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

Non-Complying Activities (NC)

EW-R7	Any <i>earthworks</i> within an Outstanding Natural Landscape identified in NFL-APP1, except within an existing <i>road</i> corridor, or where associated with a new <i>National Grid transmission line</i> [PC65]; or
EW-R8	Any <i>earthworks</i> in the <i>National Grid Yard</i> that do not comply with EW-ST6.2.c or EW-ST6.2.d [PC65]

DISTRICT-WIDE MATTERS

FIN – Financial Contributions

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

1. Money or
2. Land (including esplanade reserves) or
3. Any combination of money and land.

Any financial contributions collected must be used for the purposes specified, and must be calculated in the manner described in this chapter.

Objectives

Refer to SUB-O4, SUB-O8, INF-O1 and INF-O2.

FIN-01	To ensure that subdividers and developers provide, or contribute toward the cost of providing, <i>roading</i> , utility services and reserves.	
FIN-02	To ensure that the level of these financial contributions is related to:	
	FIN-02.1	The degree to which the facilities concerned serve the land in the subdivision or development,
	FIN-02.2	The additional demands which the development or subdivision places on public services or facilities, or
	FIN-02.3	The level of benefit which accrues to the subdivider/developer and future residents of the land.

FIN-03

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

Explanation

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

~~New development and subdivision often results in a demand for the extension and upgrading of services, including reserves. It would be unreasonable for the entire cost of such extensions and upgrading to be met by the community as a whole. The purpose of taking financial contributions is to recover a portion of these costs from those who benefit directly from development (i.e. the subdivider/developer). A large part of the developer's "contribution" will often be installing new roads and services to cater for the development itself. Such works are not within the definition of "financial contributions", but will be required as a condition of subdivision or land use consent. For the sake of completeness, the Council's approach to provision of such works is set out in the policies below.~~

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

[DELETED PCI]

Reserve Contributions

Purpose

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

1. Purchase land for recreation, leisure or amenity purposes.
2. Develop recreation, leisure or *community facilities* on reserve land.
3. Undertake joint ventures between *Council* and community groups and educational institutions to provide recreation, leisure and *community facilities* on community-owned land.

Policies

FIN-P1	To require an appropriate contribution in land or cash, where <i>sites</i> for utility purposes are required as a result of a subdivision or development.	
FIN-P2	To require contributions toward new reserves or the development of reserves at the subdivision stage:	
	FIN-P2.1	For all new residential allotments, and
	FIN-P2.2	In all rural subdivisions where a new ~~dwelling~~ <u>residential unit</u> could result from the subdivision. [PCI]
FIN-P3	To require reserves contributions in relation to <i>multi-unit residential developments</i> (i.e. where more than one ~~dwelling~~ <u>residential unit</u> is to be built on an allotment). [PCI]	
FIN-P4	To take appropriate pieces of land as a first preference for reserves contribution, while retaining the discretion not to accept particular pieces of land for reserves.	
FIN-P5	To require one flat fee throughout the District for each extra lot and for each extra ~~dwelling~~ <u>residential unit</u> in a multi-unit development. [PCI]	
FIN-P6	To require the monetary value of the reserve contribution to be the same whether land or cash or a combination of both is taken.	

FIN-P7	To recognise the following when calculating the amount of reserves contribution payable:	
	FIN-P7.1	The value of any esplanade reserves and strips being created.
	FIN-P7.2	The level of past contributions by the subdivider/developer.
	FIN-P7.3	The value of any land being set aside for heritage purposes by way of covenant or consent notice.

Reserves Contributions

FIN-CR1	Circumstances:	
	Reserve Contributions in the form of land and/or cash may be imposed:	
	FIN-CR1.1	As a condition of subdivision consent where the subdivision would produce an additional lot or lots upon which a ~~dwelling~~ <u>residential unit</u> could be built in the future. [PCI]
FIN-CR2	FIN-CR1.2	In relation to <i>multi-unit residential developments</i> (i.e. where more than one ~~dwelling~~ <u>residential unit</u> is to be built on an allotment). [PCI]
	Amount of Contribution:	
	FIN-CR2.1	The amount of the contribution shall be \$1,250.00 (including GST) for each additional allotment under FIN-CR1.1 above, and for each additional ~~dwelling~~ <u>residential unit</u> under FIN-CR1.2 above. This sum shall apply until July 1 1999. It shall be altered by <i>Council</i> on that date and annually thereafter, based on the rate of change in the Construction Cost Index for the previous calendar year. [PCI]
	FIN-CR2.2	The contribution may be levied in land, in cash or a combination of the two, provided that the total value of the contribution does not exceed that in FIN-CR2.1 above.

Explanation

Reserves fall into four main groups, namely:

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

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

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

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

Sometimes subdividers have tried to rid themselves of land which was difficult to develop (e.g. gullies), by donating it as a reserve. *Council* will only accept such land if it is of practical use to the community. (FIN-P4).

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

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

[DELETED PCI]

Utility Sites/Services

(Including: Water Supply, Sewer and Stormwater Drainage and Sewage Disposal)

Purposes

1. To provide adequate sewer, water or stormwater services to the land in the subdivision.
2. To provide a potable supply of water for human consumption, including industrial and commercial activities.
3. To provide a supply of water at an appropriate pressure for firefighting.
4. To maintain and improve people's health and amenity, and to protect the *environment*.
5. To maintain, improve, and develop the existing systems.

Policies

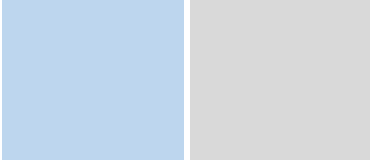
FIN-P8	To require the subdivider to meet the full cost of any new utility mains which need to be laid within the subdivision.
FIN-P9	<i>Council</i> will meet the extra costs involved if <i>Council</i> requires a higher standard of utility services than is needed purely to serve the land in the subdivision (e.g. requiring extra- large pipes to be installed to serve other land as well). <i>Council</i> will then recover those extra costs from the owners of that other land when it is subdivided.
FIN-P10	To require the landowner to pay the full cost of providing the service connections for new lots in a subdivision or for new developments.
FIN-P11	To require an appropriate contribution toward the capital cost of a water or sewerage scheme, if a development or subdivision on land outside a water or sewerage scheme area is to be connected to that scheme.
FIN-P12	To seek capital contributions from industrial or commercial developments which use large amounts of water or discharge large amounts of sewage into public systems.
FIN-P13	To require the developer to contribute appropriate land for pumping stations, reservoirs or other utilities.

Utility Sites

FIN-CR3	Circumstances: Land within a subdivision may be required to be set aside as a <i>site</i> for a pumping station, reservoir or other utility if that facility serves the land in the subdivision.
FIN-CR4	Amount of contribution: The maximum amount of the contribution shall be the full area of land required for the utility.

Water Supply, Sewer and Stormwater Drainage and Sewage Disposal

FIN-CR5	Circumstances: Financial contributions for the provision of water supply, sewer and stormwater drainage and sewage disposal may be imposed where new allotments are intended for human habitation or occupation.						
FIN-CR6	Maximum Amount: Where a piped water supply or sewerage system or piped stormwater system is available (i.e. located within 100 metres of the land being subdivided) the maximum amount is: <table> <tr> <td>FIN-CR6.1</td><td>The full actual cost of all necessary reticulation for each allotment in the subdivision, plus</td></tr> <tr> <td>FIN-CR6.2</td><td>The full actual cost of the first 30 metres of the connection between the new reticulation within the subdivision and the existing reticulation, plus</td></tr> <tr> <td>FIN-CR6.3</td><td> Where the land concerned has not contributed to the capital cost of installing: a) The water supply and treatment system, b) The stormwater disposal system, or c) The sewerage system, including treatment and disposal facilities, </td></tr> </table>	FIN-CR6.1	The full actual cost of all necessary reticulation for each allotment in the subdivision, plus	FIN-CR6.2	The full actual cost of the first 30 metres of the connection between the new reticulation within the subdivision and the existing reticulation, plus	FIN-CR6.3	Where the land concerned has not contributed to the capital cost of installing: a) The water supply and treatment system, b) The stormwater disposal system, or c) The sewerage system, including treatment and disposal facilities,
FIN-CR6.1	The full actual cost of all necessary reticulation for each allotment in the subdivision, plus						
FIN-CR6.2	The full actual cost of the first 30 metres of the connection between the new reticulation within the subdivision and the existing reticulation, plus						
FIN-CR6.3	Where the land concerned has not contributed to the capital cost of installing: a) The water supply and treatment system, b) The stormwater disposal system, or c) The sewerage system, including treatment and disposal facilities,						



A capital contribution per allotment not exceeding the average real cost which other users of the system have paid toward its installation:

Explanation

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

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

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

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

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

[DELETED PCI]

Roads, streets, and pedestrian accessways

Purposes

1. To provide safe and convenient vehicle and pedestrian access to and within subdivisions.
2. To enhance general *amenity values* and to maintain, improve and develop the *roading* and footpath network.
3. To provide safe and adequate access to ~~dwellings~~ residential units and other *buildings*. [PCI]

Policies

FIN-P14	To require the subdivider to pay the full cost of any new <i>roads</i> or joint driveways to serve a subdivision.
FIN-P15	To meet the extra cost involved if <i>Council</i> requires a subdivisional <i>road</i> to be extended in length to serve other land.
FIN-P16	To seek financial contributions where the new or increased traffic resulting from a subdivision gives rise to a need to form or divert any existing <i>road</i> or to upgrade that <i>road</i> to a higher standard.
FIN-P17	To seek financial contributions in cases where a new ~~dwelling~~ <u>residential unit</u> , subdivision or development requires access to be provided via an unformed legal <i>road</i> . [PCI]
FIN-P18	To require any damage to <i>roads</i> caused by an activity (excluding that caused by “wear and tear”) to be repaired at the expense of the party who caused the damage.
FIN-P19	To require the subdivider or developer to pay for any upgrading which is needed to cope with a new activity, (e.g. stronger culverts and bridges), if a formed <i>road</i> is adequate for its present function and location.
FIN-P20	To require developers to pay for any new street lights, street <i>signs</i> , vehicle crossings or entranceways required to serve their development.

Roads and Pedestrian Accessways

FIN-CR7

Circumstances:

Financial contributions for the provision of *roads* and pedestrian accessways may be imposed where new allotments are intended for human habitation or occupation.

FIN-CR8

Maximum Amount:

The full actual cost of providing the necessary land for all *roads* and pedestrian accessways to and within the land being subdivided.

NB: The subdivider may also be required to contribute formation works and services as a condition of subdivision consent.

Upgrading and/or Widening Existing *Roads*

FIN-CR9

Circumstances:

Financial contributions for upgrading and/or widening existing *roads* may be imposed where existing *roads* are of inadequate width or construction to cater for increased traffic caused by the subdivision, or caused by a new *dwelling residential unit* or other *building*, if: [PCI]

FIN-CR9.1

The particular subdivision or development is likely to give rise to additional traffic on the *road* concerned, and

FIN-CR9.2

The *road* then needs to be upgraded to a higher standard as a result of this traffic.

FIN-CR10

Maximum Amount of Contribution:

FIN-CR10.1

Where the land being subdivided or developed lies on both sides of the *road* concerned - 100% of the actual cost of upgrading to meet the required standard, including where appropriate the value of any land for *road* widening.

FIN-CR10.2

Where the land being subdivided or developed lies on one side of the *road* concerned - 50% of the actual cost of upgrading to meet the required standard including the value of any land for *road* widening.

Explanation

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

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

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

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

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

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

The onus will always be on the landowner and/or the operator of any land use activity involving heavy traffic to consult with the *roading* authority at an early stage to determine whether their proposals are compatible with the *roading* network (GRUZ-ST8). *Council* will seek to recover the cost of any repairs to its *roads* (above those caused by normal “wear and tear”) from the landowner and/or operator through the relevant legislation.

District Plan Methods

- FIN P8 to FIN P13
- Rules FC CR1 to FC CR8

Methods

- ~~Recreational strategy.~~
- ~~Water supply and sewage disposal agreements with major users/dischargers.~~
- ~~Policy on “extraordinary” connections.~~
- ~~Local Government Act penalties for damage to roads.~~
- ~~Road damage deposits.~~

Environmental Results Anticipated

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

Monitoring And Review Procedures

The procedures to be used will include:

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

[DELETED PCI]

DISTRICT-WIDE MATTERS

KEN – Boarding, Breeding and Training Kennels

Introduction

The Manawātū District caters for a range of dog kennel facilities for the *boarding*, breeding and training of dogs. However, *boarding, breeding and training kennels* for dogs have the potential to create adverse *effects* on the character and *amenity values* of the surrounding *environment*. Careful siting, design and management is needed for the operation of *boarding, breeding and training kennels* to ensure that potential adverse *effects* on the character and *amenity values* of the surrounding *environment*, in particular on *residential activities*, are appropriately managed.

Dog owners also have a legal requirement to comply with the *Council's* Dog Control Bylaw under the Dog Control Act 1996, and also the relevant codes of welfare and regulations under the Animal Welfare Act 1999, including the regulations relating to the provision of dry and shaded shelter for dogs.

Issues

KEN-I1

~~*Boarding, breeding and training kennels* have the ability to result in adverse *effects* on the character and *amenity values* of the surrounding *environment*.~~

[DELETED PCI]

Objectives

KEN-O1

To ensure the establishment and operation of *boarding, breeding and training kennels* do not result in adverse *effects* on the character and *amenity values* of the surrounding *environment*.

Policies

KEN-P1	To ensure the <i>effects of boarding, breeding and training kennels</i> on the <i>amenity values</i> and character of the area in which the activity is located are managed through the provision of <i>yard setbacks</i> , separation distances and screening between proposed kennels and noise <i>sensitive activities</i> , particularly within 500 metres of the dog kennel <i>site</i> .	
KEN-P2	To manage adverse <i>effects</i> from <i>boarding, breeding and training kennels</i> on the character and <i>amenity values</i> of the surrounding area through the appropriate design and layout of the <i>site</i> and <i>buildings</i> , and the operation and management of the kennels.	
KEN-P3	To assess each application for <i>boarding, breeding and training kennels</i> recognising the size and layout of the <i>site</i> , the number of dogs proposed and distance of the kennels to noise <i>sensitive activities</i> .	
KEN-P4	To ensure the design and layout of the kennel <i>site</i> and <i>buildings</i> incorporates features to reduce the adverse <i>effects</i> of dogs barking on noise <i>sensitive activities</i> that may affect outdoor amenity or indoor sleep disturbance, including:	
	KEN-P4.1	The extent to which the design of kennel <i>buildings</i> insulates against night-time noise of barking dogs;
	KEN-P4.2	The extent to which the design and layout of the kennels will prevent dogs in their normal runs from becoming visually and acoustically excited by activities associated with the kennels or from outside stimuli from neighbouring land;
	KEN-P4.3	Group housing for compatible dogs (where practical).
KEN-P5	To require <i>boarding, breeding and training kennel</i> applicants to prepare a noise management plan which sets out the noise management measures for the <i>site</i> including but not limited to:	

	KEN-P5.1	Location and times of kennel activities, including training and exercise areas, when dogs will be enclosed at night, and hours of operation of the facility
	KEN-P5.2	Physical design measures, including setbacks and screening
	KEN-P5.3	Management actions, including how complaints will be managed; the techniques that will be used to manage noisy dogs, and how communication with neighbours will be maintained.
KEN-P6	To ensure that <i>boarding, breeding and training kennels</i> adequately provide for the management and disposal of waste from the operation of the kennel activity, particularly in regard to potential adverse <i>effects</i> associated with odour.	
KEN-P7	For the Flood Channel <i>Zones</i>, to ensure the location and design of any structure on <i>site</i> will not impede or divert the flow of flood waters. Guidance Note: When considering flood flow paths, the <i>Council</i> will have particular regard to expert flood hazard advice provided by Horizons <i>Regional Council</i>.	

Rules

Rules in this chapter apply District-wide and the chapter needs to be read in conjunction with the District Plan maps, relevant appendices and provisions of the applicable *zone*. Rules in the other sections in chapters Infrastructure, Transport, Noise, Earthworks, Signs, Temporary Activities, and Relocated Buildings also apply to *boarding, breeding and training kennels*.

Guidance Note:

Dog owners are also required to meet the requirements under the *Council's* Dog Control Bylaw (2014) or any subsequent updates. A permit to keep dogs may also be required under this bylaw.

Permitted Activities (PER)

The following are *Permitted Activities* provided they comply with standards KEN-ST1 to KEN-ST5

KEN-R1	<i>Boarding, breeding and training kennels</i> for up to and including 5 dogs in the General Rural Zone
KEN-R2	<i>Boarding, breeding and training kennels</i> for up to and including 2 dogs in the General Residential and Settlement Zones.

Standards for Permitted Activities

KEN-ST1	Building Envelope
KEN-ST1.1	In the General Residential <i>Zone</i> and Settlement <i>Zone</i> : Maximum <i>height</i> 9m
KEN-ST1.2	In the General Rural Zone: Maximum <i>height</i> 20m
KEN-ST1.3	All parts of a <i>building</i> must be contained within a 45 degree plane commencing at 2.8 metres above ground level inclined inwards at right angles in plan. See Figure 25 below.
KEN-ST1.4	The <i>height</i> recession plane does not apply to: a) Eaves b) Solar panels and water heaters c) <i>Antennas</i>, aerials, chimneys d) Gable roof ends if the total area of that part of the <i>building</i> above the <i>height</i> recession plane does not exceed 1/3 of the gable end <i>height</i>.

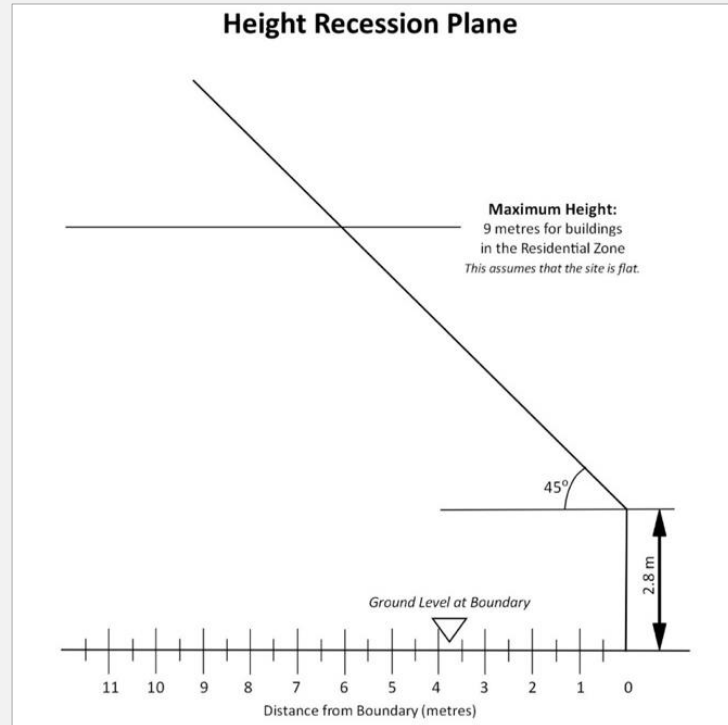


Figure 25 - Height recession plane

KEN-ST1.5

In the General Rural Zone, the following standards apply:

No part of any *building*, structure, *mast*, tree or other object shall penetrate any of the climb surfaces, transitional surfaces, horizontal surfaces or conical surfaces associated with Palmerston North Airport or Feilding Aerodrome. These surfaces are shown in GRUZ-APP2. Where two or more surfaces intersect, the lower shall apply.

NB: Special *height* controls also apply in the vicinity of the Ohakea Airfield (Refer DES-APP1).

KEN-ST2**Yard and Separation Distances**

Buildings and structures associated with *boarding, breeding and training kennels* must comply with the following setbacks:

KEN-ST2.1

In the General Rural Zone:

KEN-ST2.1.a

From any General Residential or Settlement Zone – 100m

KEN-ST2.1.b

Front Yards – 20m

		KEN-ST2.1.c	<i>Yards</i> where a <i>Noise Sensitive Activity</i> is located on an adjoining site in different ownership – 100m
		KEN-ST2.1.d	Other <i>yards</i> – 30m
		KEN-ST2.1.e	From the top of the bank of the Oroua River or Kiwitea Stream – 20m
		KEN-ST2.1.f	From the top edge of any other public drain or watercourse – 10m
	KEN-ST2.2	In the General Residential <i>Zone</i> and Settlement <i>Zone</i> :	
		KEN-ST2.2.a	From all <i>yard</i> boundaries – 3m
		KEN-ST2.2.b	From the bank of the Oroua River or Kiwitea Stream – 20m
		KEN-ST2.2.c	From the top edge of any other public drain or watercourse – 10m
		KEN-ST2.2.d	Within the <i>National Grid Yard</i> in <i>Growth Precinct 1</i> (see SUB-APP3) – 12m from the outer visible edge of a <i>National Grid</i> support structure (tower). All fences must be located a minimum of 5m from the support structure, <i>network utility</i> structure, <i>road sign</i> or <i>safety sign</i>. Guidance note: <i>Buildings</i> and structures need to demonstrate compliance with the requirements of NZECP34:2001.
	KEN-ST3	Noise – Compliance with NOISE-ST1 to NOISE-ST4.	
	KEN-ST4	Signs – Compliance with SIGN-R1, SIGN-R2, and SIGN-ST1 to SIGN-ST3.	
	KEN-ST5	Glare – Compliance with TR-ST2.	

Discretionary Activities (DIS)

The following activities are *discretionary activities* with respect to *Boarding, breeding and training kennels*:

KEN-R3	<i>Boarding, breeding and training kennels</i> in KEN-R1 and KEN-R2 which do not meet the performance standards in KEN-ST1 to KEN-ST5.
KEN-R4	<i>Boarding, breeding and training kennels</i> in the General Rural Zone for 6 or more dogs
KEN-R5	<i>Boarding, breeding and training kennels</i> in the General Residential and Settlement zones for 3 or more dogs
KEN-R6	<i>Boarding, breeding and training kennels</i> in all other zones or not otherwise provided for.

Standards for Discretionary Activities

Performance standard for *boarding, breeding and training kennels* that are *discretionary activities* in KEN-R3 to KEN-R6.

KEN-ST6	The following information must be submitted to Council on lodgement of an application under this rule for <i>boarding, breeding and training kennels</i> :
KEN-ST6.1	A noise management plan prepared by a suitably qualified person(s) who has knowledge and experience in dog behaviour.

Assessment Criteria (AC):

In determining whether to grant a resource consent and what conditions to impose, the *Council* will, in addition to the objectives and policies of the relevant *zone* and chapters: Infrastructure, Transport, Noise, Earthworks, Signs, Temporary Activities, Relocated Buildings, assess any application in terms of the following assessment criteria:

KEN-AC1	The degree of non-compliance with the particular performance standards that the proposed <i>boarding, breeding or training kennel</i> fails to meet.
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KEN-AC2

The degree to which the proposed mitigation methods will avoid or mitigate the adverse *effects* on noise *sensitive activities*.

DISTRICT-WIDE MATTERS

NOISE – Noise

Introduction

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

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

Rural production activities are the predominant activities in the rural area of the District. There is pressure for increased rural lifestyle living which can seek different expectations for the rural area. This can lead to complaints about the noise generated by rural production activities as part of day to day activities.

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

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

Issues

Refer also GEN-14

NOISE-11	Noise can result in significant adverse environmental <i>effects</i> on the existing <i>environment</i> .
NOISE-12	Noise <i>sensitive activities</i> can be adversely affect by noisy uses and activities in the District.
NOISE-13	Recognising that evening noise levels typically reduce in all zones compared with daytime noise and contribute to local amenity.
NOISE-14	Noise levels generated by land use activities can vary within a <i>zone</i> and between <i>zones</i> .

NOISE-15	Rural and rural lifestyle uses can have different amenity expectations which can result in complaints.
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[DELETED PCI]

Objectives

NOISE-O1	To ensure noise generated from activities is appropriate to the character and level of amenity anticipated in the surrounding <i>environment</i> and human health and safety.
NOISE-O2	To avoid, remedy or mitigate the adverse <i>effects</i> of noise upon people's health and amenities (GEN-O2).

Policies

NOISE-P1	To ensure noise level standards protect ~~dwellings~~ <u>residential units</u> and other noise <i>sensitive activities</i> from unreasonable noise levels. [PCI]
NOISE-P2	To ensure noise levels within the Town Centre and Mixed Use <i>Zones</i> and the General Industrial <i>Zone</i> enable the functioning of these activities without resulting in significant adverse environmental <i>effects</i> on adjacent <i>residential activities</i> .
NOISE-P3	To consider appropriate mitigation measures where noise levels exceed the <i>zone</i> or <i>zone</i> interface noise limits.
NOISE-P4	To provide for noise associated with rural production activities in the General Rural <i>zone</i> .
NOISE-P5	To apply the concepts of the NZ Standard for Airport Noise (NZS 6805:1992) to airports in the District, and to the land in the immediate vicinity of airports.

NOISE-P6	To exclude any new school, place of assembly, hospital, ~~dwelling~~ <u>residential unit</u> or other accommodation from the Air Noise Area around Palmerston North Airport. [PCI]
NOISE-P7	To mitigate the adverse <i>effects</i> of aircraft noise on any new school, place of assembly, hospital, ~~dwelling~~ <u>residential unit</u> or other accommodation in the Inner and Outer Control Areas around Palmerston North Airport. [PCI]

Rules

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

Permitted Activities (PER)

NOISE-R1	All activities are permitted provided they comply with the performance standards NOISE-ST1 to NOISE-ST4.
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Standards for Permitted Activities

For all *zones*, the *permitted activities* specified in NOISE-R1 must comply with the following standards:

NOISE-ST1	Noise levels shall be measured in accordance with NZS 6801:2008 Measurement of Environmental Sound and assessed in accordance with NZS 6802:2008 Acoustics – Environmental Noise unless otherwise specified.
NOISE-ST2	All activities must comply with the following noise levels for the <i>zone</i> the activity is located in. Refer to Table 5 – Noise Levels.
NOISE-ST3	Sounds generated by construction, maintenance and demolition activities will be assessed, predicted, measured, managed and controlled by reference to NZS6803:1999 Acoustics – Construction Noise.
NOISE-ST4	Noise from the following activities are not controlled by NOISE-ST2 in this Plan:

	NOISE-ST4.1	Aircraft being operated during or immediately before or after flight.
	NOISE-ST4.2	Vehicles being driven on a <i>road</i> , excluding the use of airbrakes on trucks.
	NOISE-ST4.3	Trains other than when being tested (when stationary), maintained, loaded or unloaded.
	NOISE-ST4.4	Rural production activities, except for <i>intensive farming</i> .
	NOISE-ST4.5	Crowd noise at any area zoned Open Space.
	NOISE-ST4.6	Emergency Services Sirens.
	NOISE-ST4.7	Military Training Activities covered by GEN-R1 to GEN-R3.

Guidance Notes:

1. Sound from commercial renewable energy generation will be assessed, predicted, measured and controlled by reference to the NZS6808:1998 Acoustics – The Assessment and Measurement of Sound from Wind Turbine Generators.
2. Noise from Helicopters using separate helicopter landing areas that are not part of an airport will be assessed according to NZS 6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas.
3. Noise associated with aircraft operations will be assessed by NZS 6805:1992 Airport Noise Management and Land Use Planning.
4. Unreasonable or excessive noise can be controlled by reference to the specific provisions of the Resource Management Act (1991), specifically sections 16 and 327.

Discretionary Activities (DIS)

NOISE-R2

Any activity that does not meet the noise standards for a *Permitted Activity* specified in NOISE-ST1 to NOISE-ST4, or is not specifically provided for in this plan, shall be a *Discretionary Activity*.

Table 5 – Noise Levels

ZONE the activity is located in	Time Period	Potentially Affected Zone (measured at any point within the boundary of any other site in the zone)		
		General Residential/Settlement	General Rural	Town Centre & Mixed Use
General Residential/Settlement (these apply only to <i>home occupations</i> and <i>non-residential activities</i>)	7am - 10pm	45db L _{Aeq} (15 mins)		
	10pm – 7am	35db L _{Aeq} (15 mins)		
	10pm-7am	55db L _{Amax}		
Open Space	7am - 7pm	55db L _{Aeq} (15 mins)		
	7pm - 10pm	50db L _{Aeq} (15 mins)		
	10pm - 7am	40db L _{Aeq} (15 mins)		
	10pm - 7am	70db L _{Amax}		
General Rural	7am - 7pm	55db L _{Aeq} (15 mins)	55db L _{Aeq} (15 mins)	
	7pm - 10pm	50db L _{Aeq} (15 mins)	50db L _{Aeq} (15 mins)	
	10pm - 7am	40db L _{Aeq} (15 mins)	40db L _{Aeq} (15 mins)	
	10pm - 7am	70db L _{Amax}	70db L _{Amax}	
General Industrial	7am - 7pm	55db L _{Aeq} (15 mins)	55db L _{Aeq} (15 mins)	
	7pm - 10pm	50db L _{Aeq} (15 mins)	50db L _{Aeq} (15 mins)	
	10pm - 7am	45db L _{Aeq} (15 mins)	45db L _{Aeq} (15 mins)	
	10pm - 7am	75db L _{Amax}	75db L _{Amax}	
Town Centre and Mixed Use	7am - 7pm	55db L _{Aeq} (15 mins)		
	7pm - 10pm	50db L _{Aeq} (15 mins)		
	10pm - 7am	45db L _{Aeq} (15 mins)		
	10pm - 7am	75db L _{Amax}		
	At any time			65db L _{Aeq} (15 mins)

	10pm - 7am		85db L _{Amax}
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Guidance Note: The noise provisions for Stadium Zone and the Special Development Zone are contained in the specific zone chapters.

Explanation

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

Detailed investigative work using methods recommended by the NZ Standard has identified large areas of land surrounding Ohakea Air Base and Palmerston North Airport which are subject to varying levels of noise intrusion from aircraft operations. A level of noise nuisance also results at times from light aircraft use of the Feilding Aerodrome at Taonui. The predicted future noise impact of Palmerston North and Ohakea airports is shown on Figure 26 and Figure 46 (Settlement Zone Chapter). Council recognises that all three airports are an important physical resource for the Manawātū region, including Palmerston North. They are key links in the regional transport network and national defence system, and together they enable people within the region to provide for their social and economic well-being. It is therefore essential to put in place appropriate protection to ensure the efficient on-going use and development of the airports.

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

For Palmerston North Airport, Council has followed the general approach suggested by the NZ Standard, and defined three areas around the airport within which varying levels of control will apply, based on the predicted degree of noise exposure in each area. The Palmerston North City Council has included parallel controls within its District Plan for the affected parts of the City, using the same data. The three distinct areas are shown in NOISE-APP1 – Air Noise Control Areas: Palmerston North Airport and on the relevant Planning Maps, and are:

Air Noise Area

The land with the highest level of aircraft noise exposure (above the 65 dBA L_{dn} predicted noise contour). Within this area any new noise *sensitive activities*, such as

~~dwellings residential unit, are prohibited due to the adverse *effect* that aircraft noise will have on the health of their occupiers.~~

Inner Control Area

~~This incorporates the land between the 60 dBA L_{dn} and 65 dBA L_{dn} noise contours. Within this area *habitable rooms* associated with any new educational or *residential activity* will be required to be insulated to a standard which will ensure that any disturbance to sleep or conversation attributable to aircraft operational noise is properly mitigated. The construction must meet a noise insulation rating of 20 decibels for *habitable rooms*, 25 decibels for classrooms and communal activities, and 30 decibels for bedrooms. These standards are based on both the maximum L_{dn} noise prediction and the maximum single noise event generated by an aircraft at night.~~

Outer Control Area

~~Which incorporates the land between the 55 dBA L_{dn} and 60dBA L_{dn} contours. In the Outer Control Area disturbance to sleep has been identified as having the greatest potential for disruption to people and for causing complaint about aircraft activity. The insulation requirement for new dwellings residential units in this area is 25 Decibels for bedrooms, to protect against sleep interference, and 20 decibels for classrooms and communal activities. (As the maximum aircraft noise level in this *zone* is five decibels less than in the Inner Control Zone, sound insulation requirements are also five decibels lower).~~

Materials and methods of construction are described in NOISE-SCHED1, NOISE-SCHED2, NOISE-SCHED3. If properly built and maintained, *buildings* constructed of those materials will be deemed to provide the following sound insulation against aircraft noise:

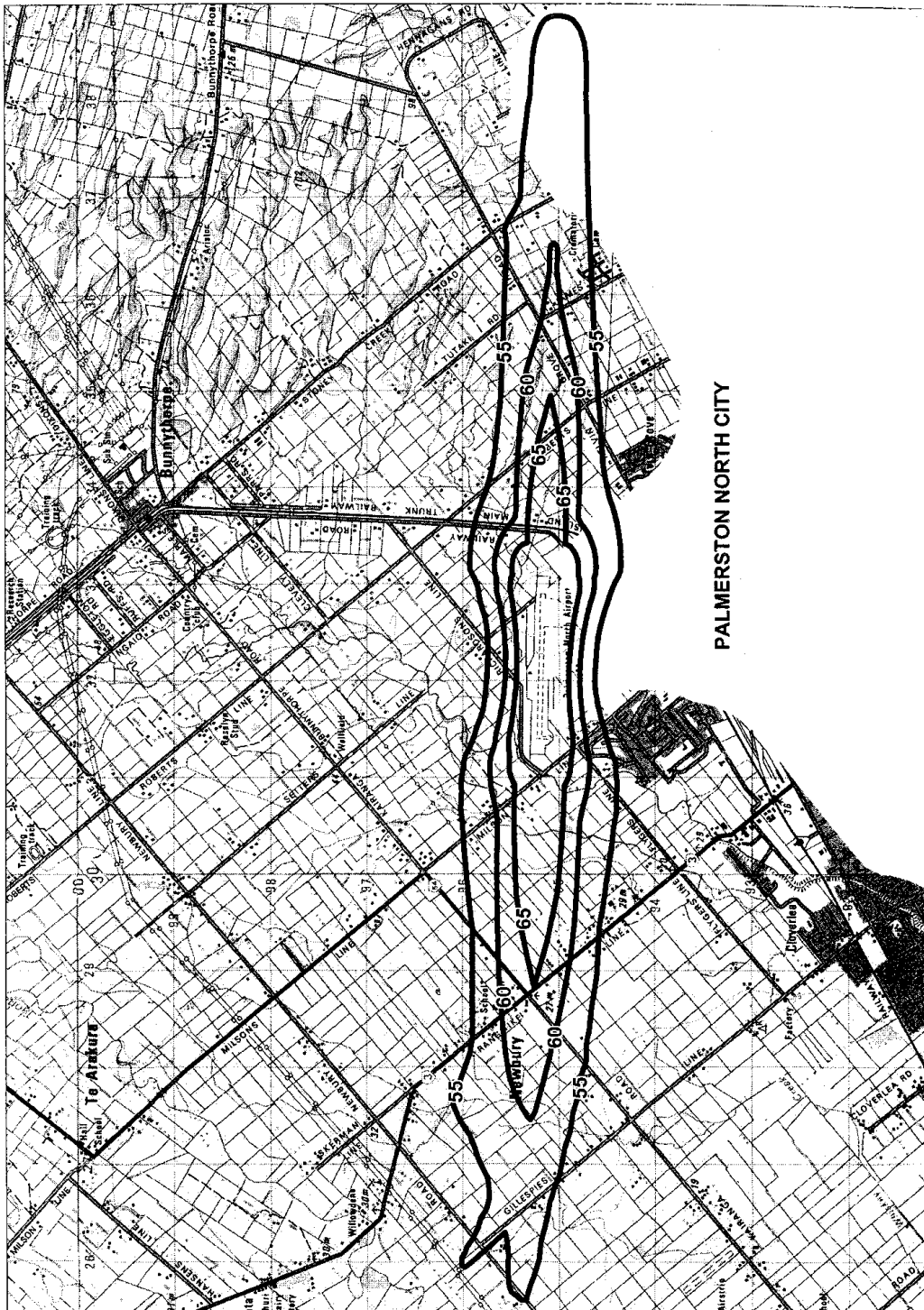
NOISE-SCHED1 (Schedule P)	20 decibels
NOISE-SCHED2 (Schedule Q)	25 decibels
NOISE-SCHED3 (Schedule R)	30 decibels

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

~~The responsibility for mitigating air noise impacts should not fall solely on present and future land owners around the airport. The airport operators should also play their part by working within noise limits and by looking for the best practicable option for noise reduction. To this~~

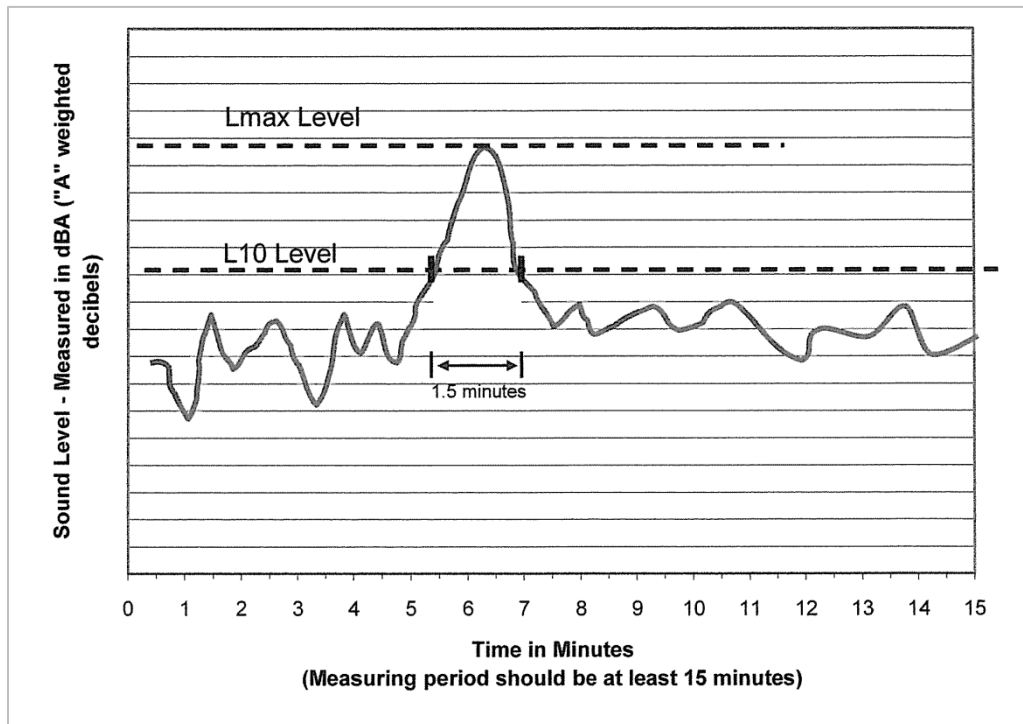
end, the Palmerston North District Plan contains specific measures to limit noise from the operation of the Airport. This includes a requirement for aircraft operations associated with the Airport to comply with a 65 L_{dn} limit, measured at the air noise boundary.

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



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

Figure 26 — Palmerston North Airport, Calculated Noise contours (DBA LDN)



Notes:

1. The L_{max} noise level is the highest sound level recorded during the measuring period.
2. The L_{10} noise level is the sound level which is reached or exceeded for 10% of the measuring period, e.g. over a 15 minute measuring period, it will be reached or exceeded for 1.5 minutes.
3. L_{dn} noise levels are used in this plan in relation to airport noise. They indicate a 24-hour daily sound exposure averaged usually over a three-month period, with 10dB being added to night-time levels to take account of the increased annoyance caused by noise at night. L_{dn} levels cannot therefore be compared the L_{10} and L_{max} levels.
4. Note, this is a greatly simplified attempt to explain some terms used in noise standards. For precise definitions, please refer to NZ Standards 6801:1991, 6802:1991 and 6805:1992.

Figure 27 – Interpreting Noise Standards

[DELETED PCI]

NOISE-SCHED1 – *Schedule P* 20dB Noise Insulation

Refer Rules: GRUZ-MD3, NH-MD4, ~~GEN-AC1 to GEN-AC25~~, GRUZ-ST12 [DELETED PCI]

Roof/Upper floor ceiling

OPTIONS	DESCRIPTION OF CONSTRUCTION
1	ROOF Pitched roof clad with tiles, or not less than 0.5mm roofing iron, or 6mm corrugated cellulose-cement. CEILING 12.5mm plasterboard fixed to underside of horizontal ceiling joist or ceiling battens. INSULATION Fibre insulation batt or blanket with a thickness of not less than 94mm and density of not less than 12 kg/m³ (such as ceiling Pink Batts R2.2 or equivalent), laid between ceiling joists.
2	ROOF Steel trough roof or other roofing iron, not less than 0.5mm thick. CEILING One layer of 12.5mm plasterboard fixed to the same timber framework as the roof but with a separation of not less than 150mm between the roofing and the plasterboard. INSULATION Fibre insulation batt or blanket with a thickness of not less than 94mm and density of not less than 12 kg/m³ (such as ceiling Pink Batts R2.2 or equivalent), laid between ceiling joists or compresses over purlins (can be combined with integral waterproof membrane).

Outer Walls

OPTIONS	DESCRIPTION OF CONSTRUCTION
1	CONSTRUCTION Conventional timber stud-framed walls. EXTERNAL CLADDING 1. Not less than 18mm thick timber weather board; or 2. Not less than 9mm thick compressed fibre cement sheets; or 3. Not less than 18mm thick solid plaster. INTERNAL LINING Not less than 9.5mm thick plasterboard. CAVITY INSULATION Fibre insulation batt or blanket with a thickness of not less than 94mm and density of not less than 12 kg/m³ (such as Wall Pink Batts R2.2 or equivalent).
2	CONSTRUCTION Conventional brick veneer installed in accordance with clearly presented and adequate technical information on installation supplied by the manufacturer. INTERNAL LINING Not less than 9.5mm thick plasterboard.

Outer Windows

OPTIONS	DESCRIPTION OF CONSTRUCTION
1	CONSTRUCTION Single glass windows in an aluminium, steel, timber or PVC frame with a positive sealing arrangement. AREA Up to 50% of the total exterior wall area. GLAZING

	Not less than 6mm thick monolithic or laminated glass.
2	CONSTRUCTION Double glazed or double windows in an aluminium, timber or PVC frame with a positive sealing arrangement. AREA Up to 50% of the total exterior wall area. GLAZING Two panes each of a minimum thickness of 4mm with an airspace of not less than 6mm.

Outer Doors

OPTIONS	DESCRIPTION OF CONSTRUCTION
1	Solid core door of a thickness not less than 35mm and a superficial density of not less than 20 kg/m ² complete with soft gasket around sides and top and drop seal at base.

Notes: The required degree of insulation will only be provided if the specified level of integrity is maintained throughout the envelope of the *building* in respect to areas in which sound insulation requirements apply. If a *sound transmission path* is provided from outside the *building* to inside the insulated room in question via a path that is not fully and appropriately insulated against, then the design of the *building* shall not comply with the permitted activity performance standard. In determining the insulating performance of roof/ceiling arrangements, roof spaces are assumed to have no more than the casual ventilation typical of the jointing capping and guttering details used in normal construction.

Mechanical Ventilation of spaces with non-opening windows or with sound-insulated windows shall be provided in accordance with provisions of the New Zealand Building Code G4 in a manner which does not compromise sound insulation.

In all cases opening windows are permissible. Where non-opening windows are used, an early warning smoke detection system should be installed and maintained within the premises (particularly in sleeping rooms and exit ways) in accordance with an approved New Zealand

Code or Standard or AS3786:1993. Where mechanical ventilation is provided devices should be installed to shut down or close off the system to prevent the travel of fire and smoke products.

NOISE-SCHED2 – *Schedule Q* 25dB Noise Insulation

Refer Rules: GRUZ-MD3, NH-MD4, ~~GEN-AC1 to GEN-AC25~~, GRUZ-ST12 [DELETED PCI]

Roof / Upper Floor Ceiling

OPTIONS	DESCRIPTION OF CONSTRUCTION
1	ROOF Pitched roof clad with tiles, or greater than 0.5mm roofing iron, or 6mm corrugated cellulose-cement. CEILING 12.5mm plasterboard fixed to underside of horizontal ceiling joist or ceiling battens. INSULATION Fibre insulation batt or blanket with a thickness of not less than 94mm and density of not less than 12 kg/m³ (such as Ceiling Pink Batts R2.2 or equivalent), laid between ceiling joists.
2	ROOF Steel trough roofing or other roofing iron, not less than 0.5mm thick. CEILING Two layers of 9.5mm thick plasterboard fixed to the same timber framework as the roof but with a separation of not less than 150mm between the roofing and the plasterboard. INSULATION Fibre insulation batt or blanket with a thickness of not less than 94mm and density of not less than 12 kg/m³ (such as Ceiling Pink Batts R2.2 or equivalent), laid between ceiling joists or compressed over purlins (can be combined with integral waterproof membrane).

Outer Walls

OPTIONS	DESCRIPTION OF CONSTRUCTION
1	CONSTRUCTION Conventional timber stud-framed walls. EXTERNAL CLADDING Not less than 18mm thick timber weather board; or Not less than 9mm thick compressed fibre cement sheets; or Not less than 18mm thick solid plaster. INTERNAL LINING Not less than 12.5mm thick plasterboard. CAVITY INSULATION Fibre insulation batt or blanket with a thickness of not less than 94mm and density of not less than 12 kg/m³ (such as Wall Pink Batts R2.2 or equivalent).
2	CONSTRUCTION Conventional brick veneer installed in accordance with clearly presented and adequate technical information on installation supplied by the manufacturer. INTERNAL LINING Not less than 12.5mm thick plasterboard.

Outer Windows

OPTIONS	DESCRIPTION OF CONSTRUCTION
1	CONSTRUCTION Single glass windows in an aluminium, steel, timber or PVC frame with a positive sealing arrangement. No through-frame ventilation.

	AREA Up to 50% of the total exterior wall area. GLAZING Not less than 7mm thick Hush Glass.
2	CONSTRUCTION Double glazed or double windows in an aluminium, steel, timber or PVC frame with not less than a 13mm air space between panes, and a positive sealing arrangement. No through-frame ventilation. AREA Up to 50% of the total exterior wall area. GLAZING One pane not less than 7.5mm and the other not less than 6mm thick with the panes being of dissimilar thickness.
3	CONSTRUCTION Double glass windows in separate timber frames with not less than a 70mm air space between panes, and a positive sealing arrangement. No through-frame ventilation. AREA Up to 50% of the total exterior wall area. GLAZING One pane not less than 6mm and the other not less than 5mm thick with the panes being of dissimilar thickness.
4	CONSTRUCTION Completely sealed double glass windows in separate timber frames with not less than a 50mm air space between panes, and a positive sealing arrangement. No through-frame ventilation. AREA Up to 20% of the total exterior wall area. GLAZING

	Each pane of dissimilar thickness but neither being less than 5mm thick.
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Outer Doors

OPTIONS	DESCRIPTION OF CONSTRUCTION
1	Solid core door of a thickness not less than 42mm and a superficial density of not less than 24 kg/m ² complete with soft gasket around sides and top and drop seal at base.

Flooring (exposed to outside noise via under-floor)

OPTIONS	DESCRIPTION OF CONSTRUCTION
1	CONSTRUCTION Conventional timber joist floor and thermal insulation. UPPER BOARDS (floor base inside room) Not less than two sheets of 18mm particle board.
2	CONSTRUCTION Conventional timber joist floor and thermal insulation. UPPER BOARDS (floor base inside room) Not less than one sheet of 18mm particle board. UNDER JOISTS (sub floor) Not less than one sheet of 6mm thick compressed fibre cement sheets.

Notes: The required degree of insulation will only be provided if the specified level of integrity is maintained throughout the envelope of the *building* in respect to areas in which sound insulation requirements apply. If a *sound transmission path* is provided from outside the *building* to inside the insulated room in question via a path that is not fully and appropriately insulated against, then the design of the *building* shall not comply with the permitted activity performance standard. In determining the insulating performance of roof/ceiling arrangements,

roof spaces are assumed to have no more than the casual ventilation typical of the jointing capping and guttering details used in normal construction.

Mechanical Ventilation of spaces with non-opening windows or with sound-insulated windows shall be provided in accordance with provisions of the New Zealand Building Code G4 in a manner which does not compromise sound insulation.

In all cases opening windows are permissible. Where non-opening windows are used, an early warning smoke detection system should be installed and maintained within the premises (particularly in sleeping rooms and exit ways) in accordance with an approved New Zealand Code or Standard or AS3786:1993. Where mechanical ventilation is provided devices should be installed to shut down or close off the system to prevent the travel of fire and smoke products.

NOISE-SCHED3 – *Schedule R* 30dB Noise Insulation

Refer Rules: GRUZ-MD3, NH-MD4, ~~GEN-AC1 to GEN-AC25~~, GRUZ-ST12 [DELETED PCI]

Roof / Upper Floor Ceiling

OPTIONS	DESCRIPTION OF CONSTRUCTION
1	ROOF Pitched roof clad with tiles, or greater than 0.5mm roofing iron, or 6mm corrugated cellulose-cement. CEILING Two layers of 12.5mm plasterboard fixed to underside of horizontal ceiling joist or ceiling battens. INSULATION Fibre insulation batt or blanket with a thickness of not less than 94mm and density of not less than 12 kg/m³ (such as Ceiling Pink Batts R2.2 or equivalent), laid between ceiling joists.
2	ROOF Steel trough roofing not less than 0.6mm thick. CEILING Two layers of 12.5mm thick plasterboard fixed to the same timber framework as the roof but with a separation of not less than 150mm between the roofing and the plasterboard. INSULATION Fibre insulation batt or blanket with a thickness of not less than 94mm and density of not less than 12 kg/m³ (such as Ceiling Pink Batts R2.2 or equivalent), laid between ceiling joists or compressed over purlins (can be combined with integral waterproof membrane).

Outer Walls

OPTIONS	DESCRIPTION OF CONSTRUCTION
1	CONSTRUCTION Conventional timber stud-framed walls. EXTERNAL CLADDING Not less than 18mm thick timber weather board; or Not less than 9mm thick compressed fibre cement sheets; or Not less than 18mm thick solid plaster. INTERNAL LINING Not less than two 12.5mm thick plasterboard sheets as internal lining to external walls. CAVITY INSULATION Fibre insulation batt or blanket with a thickness of not less than 94mm and density of not less than 12 kg/m³ (such as Wall Pink Batts R2.2 or equivalent).
2	CONSTRUCTION Conventional brick veneer in which the wall space is ventilated by connection with subfloor vents; upper part of the internal wall sheeting is exposed to, and penetrated by, upper wall vents leading to the eaves space. INTERNAL LINING Not less than 12.5mm thick plasterboard.

Outer Windows

OPTIONS	DESCRIPTION OF CONSTRUCTION
1	CONSTRUCTION

	Completely sealed double glass windows in separate timber frames with not less than a 100mm air space between panes, and a positive sealing arrangement. No through-frame ventilation. AREA Up to 20% of the total exterior wall area. GLAZING Each sheet of dissimilar thickness but neither being less than 5mm thick.
2	CONSTRUCTION Completely sealed double glass windows in separate timber frames with not less than a 50mm air space between panes, and a positive sealing arrangement. No through-frame ventilation. AREA Up to 20% of the total exterior wall area. GLAZING One sheet 7 mm Hush Glass and one sheet 6mm thick.

Outer Doors

No “single” door or ranch-slider located directly between the *Schedule R* sound-insulated room and outside area is deemed to provide 30 decibels sound reduction of outside aircraft noise.

Flooring (exposed to outside noise via under-floor)

OPTIONS	DESCRIPTION OF CONSTRUCTION
1	CONSTRUCTION Conventional timber joist floor. UPPER BOARDS (floor base inside room) Not less than two sheets of 18mm particle board. UNDER JOISTS (sub floor)

	Not less than one sheet of 6mm thick compressed fibre cement sheets. FLOOR CAVITY INSULATION Fibre insulation batt or blanket with a thickness of not less than 94mm and density of not less than 12 kg/m³ (such as Ceiling Pink Batts R2.2 or equivalent).
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Notes:

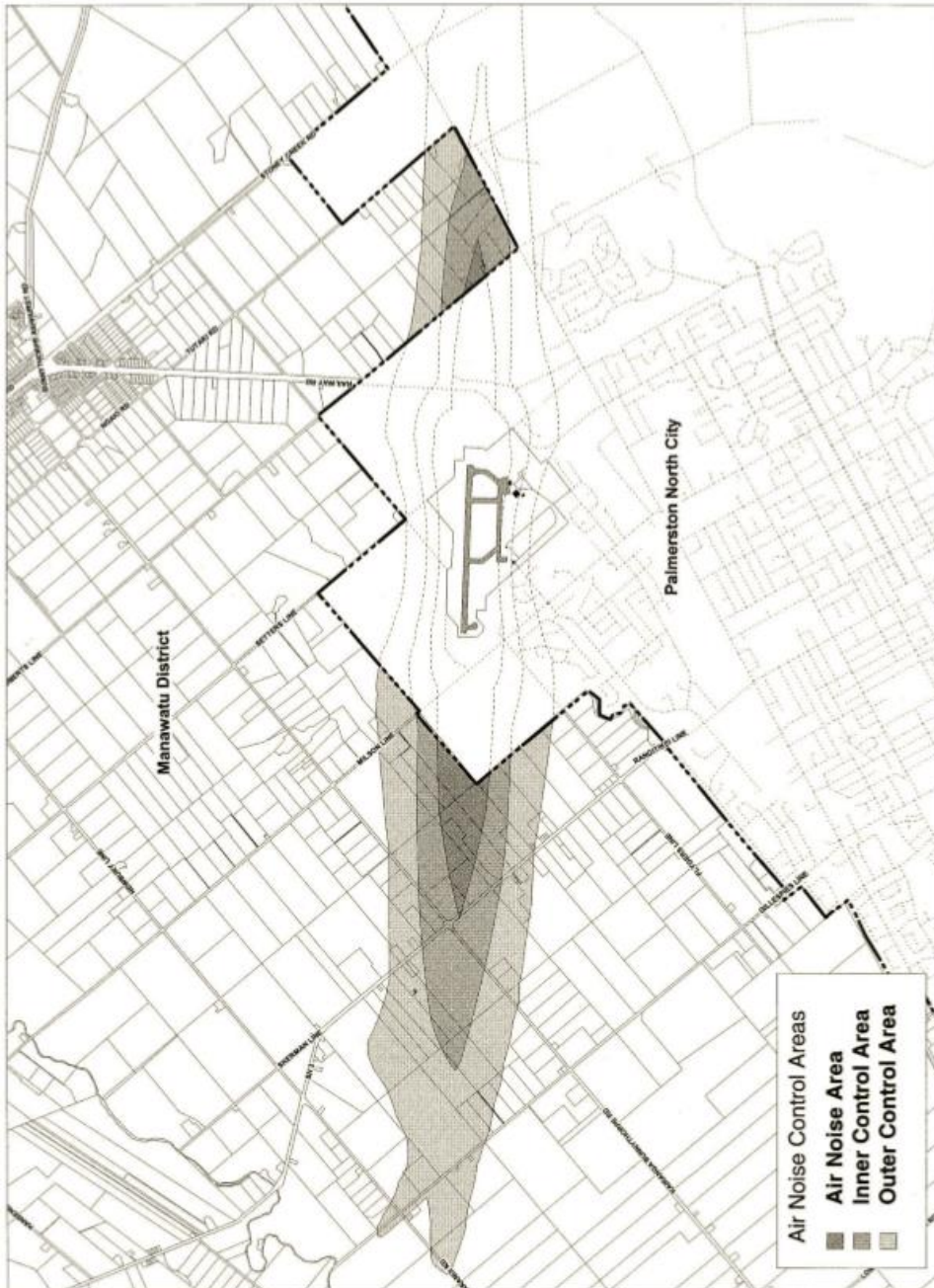
The required degree of insulation will only be provided if the specified level of integrity is maintained throughout the envelope of the *building* in respect to areas in which sound insulation requirements apply. If a *sound transmission path* is provided from outside the *building* to inside the insulated room in question via a path that is not fully and appropriately insulated against, then the design of the *building* shall not comply with the permitted activity performance standard. In determining the insulating performance of roof/ceiling arrangements, roof spaces are assumed to have no more than the casual ventilation typical of the jointing capping and guttering details used in normal construction.

Mechanical Ventilation of spaces with non-opening windows or with sound-insulated windows shall be provided in accordance with provisions of the New Zealand Building Code G4 in a manner which does not compromise sound insulation.

In all cases opening windows are permissible. Where non-opening windows are used, an early warning smoke detection system should be installed and maintained within the premises (particularly in sleeping rooms and exit ways) in accordance with an approved New Zealand Code or Standard or AS3786:1993. Where mechanical ventilation is provided devices should be installed to shut down or close off the system to prevent the travel of fire and smoke products.

NOISE-APP1 – Air Noise Control Areas: Palmerston North Airport

Refer Rules: GRUZ-MD3, NH-MD4, ~~GEN-AC1 to GEN-AC25~~, NH-R21, GRUZ-ST12, SUB-ST17-SUB-ST27 [DELETED PCI]



DISTRICT-WIDE MATTERS

REL – Relocated Buildings

Introduction

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

The relocation of *significant historic built heritage* scheduled in HH-SCHED1 (Significant Historic Built Heritage, Feilding Town Centre), HH-SCHED2 (Significant Historic Built Heritage - Wider Manawātū District) and HH-SCHED3 (Marae Buildings) is a separate matter not addressed through this chapter. Consideration of these buildings is required under the provisions of the HH – Historic Heritage Chapter.

Issues

REL-11	~~The need to recognise the sustainable use and economic benefits associated with the reuse of buildings by relocating them to a new site~~
REL-12	~~The need to manage the adverse visual effects that can occur from relocating buildings to a new site.~~
REL-13	~~New buildings that are small scale and purpose built to be relocated are less likely to result in adverse visual effects on the environment.~~

[DELETED PCI]

Objectives

REL-O1	To enable the relocation and establishment of <i>relocated buildings</i> only where reinstatement works will ensure the <i>building</i> maintains the visual amenity values of the surrounding area.
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Policies

REL-P1	To ensure any reinstatement and upgrading works undertaken are completed in a timely and efficient manner.
REL-P2	To ensure any reinstatement and upgrading works will result in a <i>relocated building</i> achieving a level of visual amenity the same or better than the surrounding area.
REL-P3	To encourage <i>relocated buildings</i> that are of an age, character and condition that requires minimal reinstatement work.

Rules

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

Permitted Activities (PER)

REL-R1	All <i>relocated buildings</i> in the General Residential, Settlement, General Rural, Mixed Use and General Industrial <i>Zones</i> provided that they comply with standards REL-ST1 – REL-ST10.
---------------	--

Standards for Permitted Activities

REL-ST1	Any <i>relocated building</i> intended for use as a ~~dwelling~~ <i>residential unit</i> must have previously been designed, built and used as a ~~dwelling~~ <i>residential unit</i> . [PCI]
----------------	--

REL-ST2	The <i>relocated building</i> must be placed on permanent foundations as soon as practicable, and not later than one month from arrival onsite. If a <i>building</i> is not immediately placed on foundations public access to the <i>site</i> shall be restricted, including with signage. Guidance Note: For the purposes of this standard, restricted means <i>industry</i> methods and techniques used to restrict public access to a <i>site</i>, including signage, and as necessary to achieve compliance with health and safety legislation. The methods and techniques should reflect the location of the <i>site</i> and the ability of people to gain access.
REL-ST3	The <i>Council</i> shall be notified no later than 48 hours before the <i>building</i> is relocated of the intended delivery date. This standard will be met provided the <i>building</i> is relocated within 5 days of the notified date.
REL-ST4	The <i>relocated building</i> is not located within the Flood Channel Zone.
REL-ST5	Compliance with all standards specified for permitted activities in the relevant zone and other parts of this Plan.
REL-ST6	A <i>building</i> pre-inspection report shall be submitted by the owner of the <i>relocated building</i> to the <i>Council</i> at the same time as an application is made for a <i>building</i> consent for the <i>relocated building</i>. That report shall be on the form contained in REL-APP1 and is to identify all reinstatement works that are to be completed to the exterior of the <i>building</i> to achieve a workmanlike standard and tidy appearance, and shall certify whether the <i>relocated building</i> is safe and sanitary.
REL-ST7	The <i>building</i> pre-inspection report shall be prepared by: • a licenced <i>building</i> practitioner (carpenter or design category); or • a <i>building</i> inspector from the local authority where the <i>building</i> is being relocated from.
REL-ST8	All reinstatement work required by the Condition Table in Section 2.0 the <i>building</i> pre-inspection report (REL-APP1) to reinstate the exterior of any <i>relocated building</i> shall be completed within 12 months of the <i>building</i> being delivered to the destination <i>site</i>.
REL-ST9	The owner must complete the Owner Certificate and Declaration in Section 6.0 of the <i>building</i> pre-inspection report (REL-APP1) to certify to the <i>Council</i> that all the reinstatement work will be completed within 12 months of the <i>building</i> being delivered to the destination <i>site</i>.

REL-ST10	The <i>relocated building</i> owner will supply to the <i>Council</i> photos showing the exterior of the <i>building</i> 12 months after relocation to show the reinstatement works required by Condition Table 2.0 in the <i>Building</i> Pre-Inspection Report (REL-APP1) have been achieved.
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Guidance Note:

Compliance with the *permitted activity* standards of the Plan does not ensure compliance with the *Building* Act 2004. The standards do not in any way derogate from or impinge on *Council's* functions, powers and obligations under the *Building* Act.

Restricted Discretionary Activities (RDIS)

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

REL-R2	Any <i>relocated building</i> that does not meet the <i>Permitted Activity</i> standards or does not comply with the relevant <i>Permitted Activity</i> standards in all other parts of the District Plan.
Matters of Discretion (MD)	
For this activity, the <i>Council</i> has restricted its discretion to considering the following matters, only to the extent that they are relevant to the standard that is not met:	
REL-MD1	Scale of built form and location on <i>site</i> .
REL-MD2	Exterior remedial and upgrading works.
REL-MD3	Time for remedial and upgrading works to be completed.
REL-MD4	The extent of non-compliance with the standard(s) in the Plan.
Assessment Criteria (AC)	
In determining whether to grant a resource consent and what conditions to impose, the <i>Council</i> will, in addition to the objectives and policies of the <i>Relocated Buildings</i> section and the relevant <i>Zone</i> , assess any application in terms of the following assessment criteria:	
REL-AC1	Whether the application remains consistent with the intention of the standard(s) it infringes.
REL-AC2	The extent to which there will be adverse effects where an application does not meet the standards.

	REL-AC3	Whether the application will result in adverse effects on the character and visual amenity values of the immediate surroundings or wider <i>streetscape</i> .
	REL-AC4	The need for reinstatement works and upgrading to ensure visual amenity of the surrounding area is maintained, including landscaping proposed.
	REL-AC5	The proposed time for reinstatement works and upgrading to be completed once the <i>relocated building</i> is located on its destination <i>site</i> .
	REL-AC6	The suitability of the <i>relocated building</i> for the intended reuse.

Discretionary Activities (DIS)

REL-R3	Any <i>relocated building</i> not provided for as a <i>Permitted</i> or <i>Restricted Discretionary Activity</i> , or is located in the Flood Channel Zone, is a <i>Discretionary Activity</i> .
---------------	--

REL-APP1 – Building Pre-Inspection Report



Building Pre-Inspection Report

Insert new location address.

Insert District

For: Manawatu District Council

Insert date of report.

Building Pre-Inspection Report



1.0 GENERAL INFORMATION

1.1 Introduction

This Building Pre-Inspection Report has been prepared in accordance with the requirements of the Manawātū District Plan. It accurately records the external condition of the ~~dwelling house~~ residential unit /garage/ancillary *building* to be relocated and sets out all reinstatement works required to the exterior of the *building* after it has been relocated to a workmanlike standard and to achieve a tidy appearance to meet requirements of the District Plan. [PCI]

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

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

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

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

1.2 Applicants Contact Details

Applicant:	[Applicant (clients) name]
Contact address:	[Contact address]
Telephone:	
Email:	
Any Additional information:	

Building Pre-Inspection Report



Agent:	[Authorised agent's name]
Contact address:	[Contact address]
Telephone:	
Email:	
Any Additional information:	

1.3 Building Details

Type of building	[~~Dwelling house~~ <u>Residential unit</u> , garage, ancillary building] [PCI]
Approximate age of building	Provide date range e.g. 1940-1950.
Brief Description	Number of storeys, approximate size, roof, walls, floor construction, additional features.
Proposed site address	Address of the intended site of the related building.
Site address where the building was inspected	Address
Proposed Use of Building	[~~Dwelling house~~ <u>Residential unit</u> , Residential, Garage, Ancillary] [PCI]
Previous Use of the Buildings	[Relocated building must have been previously designed, built and used as a ~~dwelling~~ <u>residential unit</u> (Except previously used garage and ancillary buildings)] [PCI]
Is the building being split for transportation	Choose Yes or No.
Will the split affect wall cladding	Choose Yes or No. Details, numbers of sections, identify the location of the cut(s)
Will the split affect roof cladding	Choose Yes or No.

Building Pre-Inspection Report



	Details, number of sections, identified the location of the cut(s)
Inspection Dates & Weather:	[Date and weather at the time of inspection]
Inspection by:	Name of Inspector.
Other persons present	Name of other parties present.
Building Consent Status	<i>[Has Building Consent documentation been prepared for the relocation works.]</i>

1.4 Site Characteristics *(this section may be filled in by the owner of the destination site)*

Existing character of the site	Description of the site where the relocated building is to be located.
Topography of the surrounding environment	Description of the surrounding environment, is it hilly, flat, building concealed from the road, etc.
Areas of Vegetation on and around the site	Description of the vegetation on site, proximity of the building location to any areas of indigenous vegetation.
Areas of any cultural or heritage value identified in the District Plan	Description of any cultural or heritage values on or near the site..

1.5 Areas assessed by Licensed Building Practitioner

Describe how the **building** was inspected.

Example:

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

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

Access was gained into the subfloor space....]

Building Pre-Inspection Report



1.6 Reporting Conditions

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

- The *building* inspection undertaken for the purpose of this Report is based on a visual inspection only; therefore it is not possible to guarantee that all concealed areas containing defects will be accessible (floor voids, roof voids, etc). No intrusive investigation will therefore be undertaken.
- *Signs* of water ingress will be searched for during the *building* inspection undertaken for the purpose of this Report, however the Report cannot warrant that the *building* is free from water penetration, from defective roofing, cladding, rainwater goods, rising damp or the like unless evident at the time of our visual survey.
- Only areas where safe access is possible have been inspected.
- The Report is provided for the use of the applicant identified in section 1.1 of this Report and the Manawatu District Council and may not be used by others without written permission by those parties. The writer of this Report accepts no liability to third parties who may act on the report.
- This Report must be read in conjunction with photograph and condition tables provided.
- This Report is for the purposes of meeting the requirements of the Manawātū District Plan. It is not a Report to address matters required by the Building Act 2004. A *building* consent is required for the relocation of this *building* and all subsequent works as a consequence. The *building* work must be designed and undertaken by Licensed *Building* Practitioners.

1.7 Exclusions

This report **does not** include comment about the following:

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

Building Pre-Inspection Report

Additionally, no search has been made of:

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

1.8 Definitions

The following defines the condition comments of the elements surveyed:

Good	Items that have suffered minimal weathering, wear or decay and are free from any visual defects.
Reasonable	Items that have worn through 'normal' use and weathering, and is in commensurate condition to the <i>building</i> age and use.
Poor	Items that are worn, decayed or weathered either due to the age, abnormal use or lack of maintenance.

Building Pre-Inspection Report



2.0 Condition Table

RMA 1991 – Mandatory External Reinstatement					
Item	Construction Element	Description	Condition	Required Upgrades & Comments	Photograph
1	Roof	<i>[Corrugated iron/fibre cement sheet, concrete tile, metal tile, butynol membrane, other]</i>	<i>[Good/Reasonable/Poor]</i>	<i>[None/ Repaint/ Re-roof etc (Additional comments required if the roof was removed during relocation)]</i>	<i>[Insert multiple photographs if/as required under any of the below sub-headings.]</i>
2	Spouting and Downpipes	<i>[PVC, metal, butynol membrane, other]</i>	<i>[Good/Reasonable/Poor]</i>	<i>[None/Repaint/Replace etc. Example: Repair all timber fascias, barges as well as rainwater goods to ensure surface moisture discharges into new Council approved outlet at new site location.]</i>	
3	Wall Cladding	<i>[Fibre cement weatherboard/ sheet, timber weatherboard, Board and batten, metal sidings, other]</i>	<i>[Good/Reasonable/Poor]</i>	<i>[None/ Repaint/ Replace etc]</i>	
4	Foundation cladding	<i>[Baseboards (likely to have been removed) NA]</i>	<i>[Good/Reasonable/Poor]</i>	<i>[Example: Foundation cladding is to be installed as specified in the Building Consent]</i>	

Building Pre-Inspection Report



RMA 1991 – Mandatory External Reinstatement

Item	Construction Element	Description	Condition	Required Upgrades & Comments	Photograph
5	Window and Door Joinery	<i>[Powder coated aluminium, timber, steel, single glazed, double glazed]</i>	<i>[Good/Reasonable/Poor]</i>	<i>[None/ Install new joinery/Repair and redecorate existing joinery. Example: Repair and repaint window and door joinery. Replace all broken glass immediately after relocation.]</i>	

Building Pre-Inspection Report



3.0 Safe And Sanitary

Comment is required.

Licensed Building Practitioner must give a declaration regarding whether the *building* is /isn't safe and sanitary.

Note: If the *building* is not considered safe and sanitary then give reasons (Example: evidence of *building* defects such as rot, transport damage).

4.0 Estimate Of Costs Of External Reinstatement Works

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

Note: Allow a contingency sum for any damage in transit.

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

- (a) Repair of broken windows and window frames;
- (b) Repair of rotten weatherboards or other damaged wall cladding;
- (c) Necessary *replacement* or repair of roof materials
- (d) Cleaning and/or painting of the exterior where necessary e.g. roofs, walls, window frames etc
- (e) Repair of transit damage; and/or
- (f) *Replacement* and painting of baseboards or other foundation cladding.

Building Pre-Inspection Report



5.0 Licensed Building Practitioner Signature

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

Author	Peer Reviewer
[name]	[name]
Signed:	<i>If undertaken/available</i>
Qualifications <i>LBP Category,</i>	

For and On Behalf of Company Name	
Address	Inspectors business address
Telephone	Enter telephone business number.
Email	Enter business email.

6.0 Owner Certificate And Declaration

As a requirement of the Manawātū District Plan, I/we Enter Name CERTIFY that I/we will ensure that within 12 months from the *building* being delivered to the destination *site* the reinstatement work required in the Condition Table in Section 2.0 of this Report will be completed.

I acknowledge that failure to complete any reinstatement work identified in the Condition Table in Section 2.0 may lead to the Manawatu District Council taking action under the Resource Management Act 1991, including by way of infringement notice,

Building Pre-Inspection Report



abatement notice, enforcement order, or prosecution. This report does not restrict the *Council* to undertake enforcement action under other legislation.

I acknowledge that where reinstatement work is not completed within 12 months of the *building* being delivered to the destination *site* that a resource consent application will be required for the *relocated building*. I understand that the *Council* may charge fees from time to time for activities relating to *relocated buildings*, as set out in its Annual Fees and Charges.

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

I will provide to the *Council* photos showing the exterior of the *building* 12 months after relocation to show reinstatement works required by Condition Table 2.0 of the Building Pre-Inspection Report have been achieved.

Signed _____ Print _____

Owner

Signed _____ Print _____

Owner

Signed _____ Print _____

Owner

Building Pre-Inspection Report



Destination Site Photographs

<i>Elevation description i.e. Front Elevation</i>	<i>Elevation description i.e. Rear Elevation</i>	<i>Elevation description</i>

<i>Elevation description</i>	<i>Elevation – description</i>	<i>Elevation description</i>

Building Pre-Inspection Report



Additional Comments and Notes

Enter text.

DISTRICT-WIDE MATTERS

SIGN – Signs

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

It is critical to ensure all *signs* are managed appropriately to avoid, mitigate and remedy potential adverse *effects* on the *environment*. Legislation can require that hazard or risk identification and *site* safety signage is provided on a *site*. For avoidance of doubt, these *signs* are not controlled by the Plan, provided the legislative requirements are met.

Issues

SIGN-I1	~~The need to ensure that <i>signs</i> do not detract from the existing amenity of the District.~~
SIGN-I2	~~The need to ensure signage does not create visual obstructions or pose safety concerns for <i>road</i> users and pedestrians.~~
SIGN-I3	~~The occurrence of advertising <i>signs</i> that do not relate to the activity on the <i>site</i> the <i>sign</i> is located on, causing visual clutter and loss of amenity for the surrounding <i>environment</i>.~~

[DELETED PCI]

Objectives

SIGN-O1	To ensure the erection of any <i>sign</i> does not result in adverse <i>effects</i> on the visual <i>amenity values</i> of the <i>environment</i> .
SIGN-O2	To ensure <i>signs</i> do not detract from the safety of <i>road</i> users and pedestrians.

Policies

SIGN-P1	To maintain the low frequency of signage existing in the District by restricting the number, size and type of <i>signs</i> erected to ensure visual amenity is maintained.
SIGN-P2	To restrict the illumination of <i>signs</i> to ensure adverse amenity <i>effects</i> from glare, light spill or distractions to <i>road</i> users and the surrounding <i>environment</i> are avoided.
SIGN-P3	To distinguish between permanent and <i>temporary signs</i> and provide for them separately given the difference in their duration.
SIGN-P4	To manage the location, appearance and frequency of <i>temporary signs</i> to ensure they are of limited duration.
SIGN-P5	To manage the cumulative <i>effect</i> of a proliferation of advertising <i>signs</i> on rural amenity.
SIGN-P6	To ensure signage is in keeping with the character of the area or <i>building</i> where it is located.
SIGN-P7	To ensure the erection of advertising <i>signs</i> is only on the <i>site</i> where the activity is occurring.
SIGN-P8	To ensure that only <i>official signs</i> and information <i>signs</i> are located within the <i>road</i> reserve.
SIGN-P9	To restrict the number, size and type of <i>signs</i> erected to ensure safety of <i>road</i> users and pedestrians.
SIGN-P10	To avoid the use of trivision or flashing <i>signs</i> where this could lead to <i>road</i> user distraction.
SIGN-P11	To avoid distraction to <i>road</i> users from the occurrence of <i>signs</i> not relating to an activity undertaken on the <i>site</i> .

Rules

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

Advice Note:

Chapter 4: Historic Heritage includes Rule HH-R10 and HH-S5 for the assessment of signage on significant historic built heritage, and this standard refers to compliance with SIGN-R1 and SIGN-R2. Policy HH-P9 which sits in the Historic Heritage Chapter provides an additional policy for the assessment of signs on significant historic built heritage.

Permitted Activities (PER)

The following are a Permitted Activity provided that they comply with the standards in SIGN-ST1 to SIGN-ST3 below:

SIGN-R1	<i>Signs and official signs</i>
SIGN-R2	<i>Temporary signs</i>

Standards for Permitted Activities

SIGN-ST1	<i>Signs</i> located within the <i>road</i> reserve must comply with the following standards:	
	SIGN-ST1.1	One information <i>sign</i> and one official “welcome to” <i>sign</i> erected at each entrance to a township.
	SIGN-ST1.2	No <i>sign</i> may result in visual obstruction or cause confusion for <i>road</i> users, pedestrians or cyclists.
	SIGN-ST1.3	The maximum <i>sign face area</i> of an information <i>sign</i> or official “welcome to” <i>sign</i> must not exceed 3m ² . Where a <i>sign</i> is double sided, it may have 3m ² on each <i>sign face area</i> .

	SIGN-ST1.4	One <i>sign</i> placed on the footpath per business premise in the Town Centre and Mixed Use Zones. These <i>signs</i> must:	
		SIGN-ST1.4.a	not exceed 0.8m ² in size, and
		SIGN-ST1.4.b	relate to a product, service or event offered within the premises and must only be placed adjacent to the kerblne outside the premises that they relate to.
	Guidance Note: <i>Signs</i> on roads will also need approval from the New Zealand Transport Agency or the <i>Council's</i> Roading Team.		
SIGN-ST2	Except as provided for in SIGN-ST1 and SIGN-ST3 , all signs must comply with the following standards:		
	SIGN-ST2.1	One <i>sign</i> may be displayed per <i>site</i> . This includes any <i>sign</i> that is freestanding, or is written on or affixed to a <i>building</i> .	
	SIGN-ST2.2	<i>Signs</i> must relate to the predominant activity on a <i>site</i> , or be associated with an activity otherwise permitted by this Plan or Resource Consent has been granted.	
	SIGN-ST2.3	A <i>sign</i> may be LED, backlit or spot lit but must not be flashing, animated, trivision, or contain revolving lights or lasers.	
	SIGN-ST2.4	Any <i>sign</i> that is LED, backlit or spot lit must not result in light spill into any adjoining property zoned General Residential.	
	SIGN-ST2.5	No <i>sign</i> may be painted or located on a <i>building</i> roof.	
	SIGN-ST2.6	<i>Signs</i> must not obstruct the clarity of <i>official signs</i> .	
	SIGN-ST2.7	<i>Signs</i> must not create an obstruction or cause safety concerns for <i>road</i> users.	
	SIGN-ST2.8	<i>Signs</i> must also comply with any permitted activity conditions of the <i>zone</i> in which it is located in.	
	SIGN-ST2.9	The maximum <i>sign face area</i> of any sign must not exceed 0.6m ² , except that <i>signs</i> within the Town Centre and Mixed	

		Use Zones and General Industrial <i>Zone</i> must not exceed a maximum <i>sign face area</i> of 3m ² .
		Guidance Note: The Town Centre and Mixed Use Zones, Stadium <i>Zone</i> and the Special Development <i>Zone</i> have additional signage provisions contained in the relevant <i>zone</i> chapters.
SIGN-ST3	All <i>Temporary Signs</i> must comply with the following standards:	
	SIGN-ST3.1	The maximum <i>sign face area</i> of any <i>sign</i> must not exceed 1.5m ² , except for electioneering <i>signs</i> which must not exceed a maximum <i>sign face area</i> of 3m ² .
	SIGN-ST3.2	The erection of a <i>temporary sign</i> must not be for more than two months in any 12 month period.
	SIGN-ST3.3	<i>Signs</i> must not create an obstruction or cause safety concerns for <i>road</i> users.
	SIGN-ST3.4	<i>Signs</i> must not be located on <i>Council</i> property or within the legal <i>road</i> reserve.
	SIGN-ST3.5	A <i>sign</i> may be LED, backlit or spot lit but must not be flashing, animated, trivision, or contain revolving lights or lasers.
	SIGN-ST3.6	Any <i>sign</i> that is LED, backlit or spot lit must not result in light spill into any adjoining property.
	SIGN-ST3.7	<i>Signs</i> must not obstruct <i>official signs</i>
	SIGN-ST3.8	<i>Signs</i> for electioneering are only permitted in the two month period prior to the election, and must be removed before the day of the election.
	SIGN-ST3.9	<i>Signs</i> for sporting events, public meetings, galas, market days, and other recreational and festive events must only be permitted in the two month period prior to the event, and must be removed no later than one week after the conclusion of the activity.
	SIGN-ST3.10	All <i>signs</i> must be removed from the <i>site</i> no later than one week after the completion of the activity or event the <i>sign</i> was promoting.

SIGN-ST3.11

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

Discretionary Activities (DIS)

SIGN-R3

Any *sign* that does not meet the *Permitted Activity* standards SIGN-ST1 to SIGN ST3, or is not specifically provided for in this Plan, shall be a *Discretionary Activity*.

DISTRICT-WIDE MATTERS

TEMP – Temporary Activities

Introduction

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

Issues

~~TEMP-I1~~	~~The need to recognise the short term nature of <i>effects</i> that are associated with <i>temporary activities</i>.~~
~~TEMP-I2~~	~~To recognise the role of <i>temporary activities</i> in promoting the social and cultural wellbeing of the communities of the Manawātū.~~

[DELETED PCI]

Objectives

TEMP-O1	To provide for a wide range of <i>temporary activities</i> within the District while ensuring any adverse <i>effects</i> are managed.
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Policies

TEMP-P1	To restrict the scale, intensity, location, duration and frequency of <i>temporary activities</i> to manage any adverse <i>effects</i> on the surrounding <i>environment</i> .
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Rules

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

Permitted Activities (PER)

TEMP-R1	<i>Temporary activities</i> are a <i>Permitted Activity</i> provided they comply with the performance standards in TEMP-ST1 – TEMP-ST6.
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Standards for Permitted Activities

TEMP-ST1	For sporting events, public meetings, galas, market days, and other recreational and festive events:	
	TEMP-ST1.1	Hours of operation occur between 7am – 10pm, and
	TEMP-ST1.2	Duration not exceeding 3 consecutive days, and
	TEMP-ST1.3	No more than 4 events of a similar nature on the same <i>site</i> , in any 12 month period, and
	TEMP-ST1.4	Temporary <i>buildings</i> and structures (except temporary <i>network utility</i> structures supporting an event) must be readily moveable, meet all <i>yard</i> setback requirements of this Plan and must be removed from the <i>site</i> upon the completion of the temporary activity.
	TEMP-ST1.5	Temporary <i>network utility</i> structures supporting an event must be easily moveable and erected for a duration not exceeding 5 consecutive weeks.

TEMP-ST2	Temporary <i>buildings</i> and structures must:	
	TEMP-ST2.1	Be readily moveable
	TEMP-ST2.2	Meet all <i>yard</i> setback requirements of this Plan
	TEMP-ST2.3	Be removed from the <i>site</i> within 6 months of the commencement of the activity
	TEMP-ST2.4	Not occupy a <i>site</i> for more than one 6 month period in any 12 months.
	Guidance Note: Consideration must also be given to the requirements of the Building Act (2004) and the Building Code for temporary buildings and structures.	
TEMP-ST3	The temporary storage of materials and goods must not exceed a period of more than 6 calendar months.	
TEMP-ST4	The demolition of <i>buildings</i> , excluding those <i>buildings</i> identified in the HH - Historic Heritage Chapter, provided the materials and debris from the demolition are removed from the <i>site</i> no later than one month after the completion of the demolition.	
TEMP-ST5	Noise associated with <i>temporary activities</i> must comply with the noise provisions relating to the <i>zone</i> it is located in.	
TEMP-ST6	All <i>temporary activities</i> , including <i>buildings</i> and structures, shall be located outside of the <i>National Grid Yard</i> .	

Guidance Note:

1. **TEMP-R1** applies to *Temporary Activities* as defined and does not include Military Training Activities in GEN-R1 which is a separate class of temporary activity dealt with by that rule.
2. For guidance on vibration *Council* recommends District Plan users refer to the NZ Transport Agency State highway construction and maintenance noise and vibration guide dated August 2013 for best practice.

Discretionary Activities (RDIS)

TEMP-R2	Any temporary activity that does not meet the <i>Permitted Activity</i> standards, or is not specifically provided for in this Plan, shall be a <i>Discretionary Activity</i> .
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