

SECTION 4 – MANAGING LAND USE EFFECTS

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4 MANAGING LAND USE EFFECTS

4.1 Introduction

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

4.2 General Objectives

Objectives

- LU 1) To recognise the potential adverse **effects** of activities upon the natural and physical **environment**, land and ecosystems and to avoid, remedy or mitigate these **effects**. (Issue 5)
- LU 2) To protect present and future District residents from potential adverse **effects** of land uses upon their amenities and their health and safety. (Issue 5)
- LU 3) To foster a climate where the District’s people can provide for their social and economic and cultural wellbeing and for their health and safety. (Issue 1)
- LU 4) To recognise the need for the Tangata Whenua to be able to use their land and traditional resources according to their cultural heritage. (Issue 2) (Refer also: Objectives HV 2 and LU 28).
- LU 5) To maintain and enhance the **amenity values** which make the District a pleasant place to live in and visit. (Issues 3, 5 and 11) [PC65]
- LU 6) To promote integrated management of land and water resources (Issue 15)

(Refer also: Objectives ~~LU 9~~, LU 10, LU 12, LU 14, LU 16 and U 1). [PC65]

Policies

- a) To ensure that adverse **effects** of land use and surface water activities on the natural **environment**, land, water and ecosystems are avoided, remedied or mitigated.
- b) To take potential impacts on future residents of an affected property into account when managing land use **effects**.
- c) To minimise the potential for conflict between new activities and lawfully existing activities.
- d) [DELETED PC 55]

- e) To provide opportunities for participation by the Tangata Whenua in making resource allocation and land use decisions, including setting conditions on land use consents where appropriate.
- f) To avoid, remedy or mitigate any adverse **effects** resulting from the activities of others upon resources or other taonga valued by the Tangata Whenua. (Refer also: Objectives HV 2 and EWA 2).
- g) To remove impediments which limit the ability of the Tangata Whenua to use their land or resources according to their cultural heritage.
- h) To minimise the nuisance caused by effluent on **roads** and roadsides. (Refer also: Objectives LU 10, LU 12, LU 14).
- i) To ensure that suitably-zoned land is available, with the required infrastructure, to meet the locational and operating needs of new industries and other employers.
- j) Not to place any unnecessary barriers (e.g. “red tape”) in the way of new job opportunities.

Explanation

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

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

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

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

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

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

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

District Plan Methods

- District Rules A2 and B.

Other Methods

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

4.3 Specific Policies and Objectives - Rural Zones

4.3.1 Sustainable Use Of Soil Resources

Objective

- LU 7) To promote sustainable use of the District’s land and related resources, particularly by:
- (a) Safeguarding the qualities of the District’s soils which contribute to their life supporting capacity, including soil depth, soil structure, water holding capacity, organic matter and soil fauna. (Refer also: Objective S 1).
 - (b) Maintaining options for future generations to use, develop or protect the soil resource. (Refer also: Objective S 1).
 - (c) Managing the **effects** of urban communities and urban growth upon the **environment**, including upon the soil resource. (Refer also: Objectives S 8, S 9 and EWA 1).

(Issues 5, 6, 7 and 9)

Policies

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

Explanation

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

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

make land uses more sustainable rather than trying to define a precise dividing line between “sustainable” and “unsustainable”.

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

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

Retiring land from pastoral **farming** may be the “sustainable answer” for some hill country properties, but the landowners may be simply unable to afford the change.

Financial support from local, regional or national sources would help, but it is unlikely to be forthcoming in amounts which would enable the massive changes needed to be made quickly. Education and information may well be the most effective methods to use. As **Council** has no specific expertise in this field it is most appropriate to support the **Regional Council** and other agencies who do.

Objective LU 7 recognises that all land is an important resource, and that as well as preventing soil degradation, it is important to keep open a wide range of options for its future use. We do not know what sort of new land uses may crop up in the future. There may be some types of soil (e.g. wine-producing gravels) which aren’t seen as important now, but might be later on. The average lot size mechanism is one tool which the Plan uses to try and retain options for all land in terms of fragmentation through subdivision. (Refer: Objective S 1).

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

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

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

Table 2 – Luc Classes In Manawatu District Compared To New Zealand

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

Source: Data Supplied By Landcare Research, May 1998.

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

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

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

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

This Plan’s rules treat versatile land differently in only three ways. Firstly the impact on high quality soils is one of the factors which needs to be taken into account when looking at proposed urban expansion. (Refer: Subdivision Objective 8). Secondly that impact also needs to be considered when assessing a discretionary activity. (Refer: Rule A1.3.4). Thirdly the versatile land has a different average lot size control for subdivision compared to the rest of the District – 8ha vs 4ha. (Refer: Objective S 1).

District Plan Methods

- District Rules A1.3.4 and B3.

Other Methods

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

4.3.2 Rural Character and Amenities

Objective

- LU 8) To maintain and where appropriate enhance the rural character and amenity of the District’s rural areas, which includes:
- A predominance of primary production and other rural activities.
 - A landscape within which the natural **environment** (including **farming** and forestry landscapes) predominates over the built one.
 - The environmental contrast and clear distinction between town and country.
 - The natural quality of the District’s **indigenous forest** areas, rivers, lakes, **wetlands** and coastal strip.
 - A high level of amenity and avoidance of those activities that can detract from this including unfinished or derelict **buildings**, piles of junk and car bodies being stored in the open.

(Issues 3, 4 and 7) (Refer also: Objectives LU 5, ~~LU 9~~ and LU 10). [PC65]

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Policies

- To ensure that new and existing development does not adversely affect the existing character and amenity of the rural **zones**.
- To recognise that **amenity values** vary within the **zone**, and ensure that any nuisance generated by existing activities is mitigated.
- To avoid the adverse **effects** on the rural **environment** which could result if some historical subdivisions and paper towns were to have houses built on them.
- To enhance the rural **environment** by using selected spare areas of **road** reserve for tree planting, provided that the adverse **effects** referred to in 3B.3 Policy 1.1 e. are avoided.
- To avoid where possible, or mitigate the adverse visual **effects** of activities that are inherently unsightly, or are detracting from the visual amenities of the **zone**.
- [DELETED PC 55]

Explanation

Policy a. reflects the fact that industrial, commercial and tourist operations as well as new housing have the potential to adversely affect the character of the rural **environment**, particularly in the areas of highest demand around Palmerston North and Feilding. The impact of the density of new housing in the rural **zones** is managed through average lot size controls and a rule which limits ribbon development of houses along and close to rural **roads**. (Refer Rule B3.3.1 c.).

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

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

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

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

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

Policy c) refers to the many small “historical” land titles which exist throughout the District, including some “paper towns”. If each of these titles is built on, new rural-residential enclaves could develop which have **effects** which conflict with Objectives LU 8 and S 1 to S 5. This Plan’s approach is to assess each title against the rural density sought by the subdivision rules, and if it would meet that density, a house can be built. The Plan does however support the development of smallholdings around some specific localities. (Refer Chapter 5.3.3 Policy b.).

There are many “spare” areas of legal **road** throughout the District, e.g. where the **road** verges are very wide. Policy d. recognises that planting those areas in trees would be a better use of resources

and may improve the amenities of the countryside. The locations for such plantings have to be chosen carefully, to avoid any adverse **effects** upon neighbours and **road** safety.

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

The Plan has taken landscape **effects** into account when putting land uses into the permitted, controlled and discretionary categories (e.g. structures become discretionary if over 20m in **height**). The activities which are least likely to fit into the neighbourhood will usually need land use consent, and **Council** can therefore individually vet their landscape **effects**. While Objective LU 8 and related policies concern the amenities and landscape of the whole District, ~~Objective LU 9 below introduces some supplementary policies~~ The Natural Features and Landscapes Chapter introduces policies and rules for specific places which have been identified as having outstanding natural features and landscapes. [PC65]

District Plan Methods

- District Rule B3 and land use consent conditions, including bonds for relocated **dwelling**s.

Other Methods

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

4.3.3 Outstanding Landscapes [DELETED PC65]

Objective

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

- ~~a) Pohangina River and river valley.~~
- ~~b) Oroua River and river valley upstream of the Mangoira Stream confluence.~~
- ~~c) Rangitikei River and river valley upstream of Putorino.~~
- ~~d) The ridgeline of the Ruahine ranges.~~
- ~~e) The Ruahine State Forest Park.~~
- ~~f) Pukepuke lagoon.~~
- ~~g) The coastline of the District, including the dune areas immediately adjacent to the sea.~~

h) ~~The vistas from Stormy Point lookout and the Mt Stewart Memorial.~~

~~(Issue 11) (Refer also: Objectives HV 1, LU 5, LU 8 and LU 23). [DELETED PC65]~~

Policies

a) ~~To minimise the **effect** of new subdivision and development, particularly housing, upon the character of the parts of the Pohangina, Oroua and Rangitikei Valleys identified above, specifically:~~

i) ~~The scenic qualities provided by the river and valley landscapes, prominent hills, the Ruahine Ranges, gorges, terrace formations, high bluffs and riparian margins.~~

ii) ~~The ecological value provided by forest remnants, and~~

iii) ~~The recreational, ecological and fisheries value of the rivers themselves.~~

b) ~~To in particular require greater separation between **dwelling**s in the Pohangina Valley to minimise the adverse **effect** of such development upon the Valley's landscape and to protect the amenities of the Valley's residents.~~

c) ~~To permit development of the Ruahine State Forest Park and Pukepuke lagoon which is consistent with their reserve status and approved management plans.~~

d) ~~To prevent inappropriate subdivision, land use and development in the coastal area.~~

e) ~~To protect the important views from the Stormy Point and Mt Stewart lookouts. [DELETED PC65]~~

Explanation

The places listed above, apart from Stormy Point and Mt Stewart, are recognised by the Regional Policy Statement as being outstanding landscapes and natural features. The values of these features and landscapes which make them important are to be "protected from inappropriate subdivision, use and development". **Council** also considers the view of the Rangitikei River terraces and distant mountains from Stormy Point to be an outstanding landscape vista, along with the view from the Mt Stewart Memorial. This Plan aims to retain the amenity of rural areas throughout the District (Objective LU 8) but to be consistent with the Regional Policy Statement the above places need additional special treatment.

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

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

The Plan's rules require that the special qualities of the Pohangina, upper Rangitikei and upper Oroua valleys be taken into account when assessing any discretionary subdivisions or land use consents within these areas (Rule A1.3.4). Any impacts on bush reserves and **natural areas** must also be taken into account.

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

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

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

Landscape assessments conducted by J Hudson have shown that development of new houses in certain parts of the Valley (particularly on the open river terraces) is likely to result in adverse **effects** on the landscape. Houses on new sections in the Valley will have to meet a requirement that they be sited at least 250m from any existing **dwelling**. This rule will help to limit the density of **dwelling**s and the number of houses which can be built along the prominent terrace edges and in the open spaces which are an important part of the character of the Valley. This rule will also assist in maintaining the special amenity of the Valley for those living there, by requiring greater separation between neighbouring houses.

The number and potential siting of new houses is largely set at the subdivision stage, so any subdivision plans must identify possible house **sites** on each new allotment which comply with the 250m

separation requirement. **Council** recognises that in some situations a cluster of new allotments at one edge of a property may have a smaller impact on the Valley’s landscape than house **sites** which are evenly spaced at a 250m distance. For this reason, proposals for such clusters of allotments will often merit approval as a restricted discretionary activity despite the 250m distance not being met by the **building sites** within the subdivision. It is important however that the overall number of new allotments created by a cluster proposal (i.e. the average density) does not exceed the number which would have been possible under the 250m spacing requirement.

The landscape study did not find that any special control over **farming**, forestry, vegetation clearance or **farm buildings** was warranted by the potential landscape impacts. The usual

Rural **zone** controls still apply, and these aim to maintain the rural amenity of the Valley. **Council** will promote house designs and forestry plantings which are sympathetic to the Valley’s landscape by publishing and using design guidelines. Forestry planting should for example avoid using terrace risers if this would obscure the horizontal line of an open terrace above.

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

Special Plan controls for the Oroua and Rangitikei valleys are not proposed at this time, since they are not under the same pressure for development. Special controls may however be considered in the future depending on development trends in these places. [DELETED PC65]

District Plan Methods

- District Rules B3.3.1 D) and C2.4.1 H). [DELETED PC65]

Other Methods

- Covenants for Stormy Point and Mt Stewart.
- Covenants for the significant community vistas in the Pohangina Valley. (Refer to District Planning Map 12)
- Design guidelines for new houses and other **buildings** in the Pohangina Valley.
- Guidelines for forestry plantings which minimise landscape impacts.
- Reserve Management Plans for Pukepuke Lagoon and the Ruahine State Forest Park. [DELETED PC65]

4.3.4 Potential Conflict Between Rural Land Uses

Objectives

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

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

(Issue 5)

Policies

- a) To recognise that rural residents will need to accept that some adverse **effects** may result from normal primary production and other rural activities from time to time.
- b) To avoid, remedy or mitigate the adverse **effects** of broad-impact land uses as far as practical, while recognising that the **effects** of such activities cannot, by their very nature be confined within the **site** concerned.
- c) To ensure that the potential use of nearby properties is not unduly constrained by the establishment of a new broad-impact land use.
- d) To ensure that the presence of existing land uses and their right to continue is recognised by those who purchase or use land within the area affected by those land uses.
- e) To avoid or mitigate the adverse **effects** of mineral exploration, extraction and processing operations, while recognising the importance of minerals as a natural resource.
- f) To mitigate the adverse **effects** of **intensive farming** activities.
- g) To ensure that **buildings** and pens which house animals from time to time, are adequately separated from adjoining properties.
- h) [DELETED PC 55]

Explanation

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

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

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

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

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

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

Virtually the only mineral extraction within the District in terms of Policy e) involves sand, gravel and aggregate quarrying. Quarrying in the hill and sand country, and gravel extraction from riverbeds will be covered by **Regional Council** Plans, for soil conservation and river management reasons. The District Plan complements these by requiring consents for extraction in areas within **Council's** jurisdiction, so that **effects** on neighbours and the surrounding area can be addressed. These include dust, noise, vibration and heavy traffic movements. Prospecting and small-scale excavations have a relatively minor **effect** and are therefore permitted in the Rural **zones**. Some river beach extractions also have a minor **effect** due to their relative isolation. Processing of gravel will be regarded as an industrial activity. Short term use of a portable crushing plant is however permitted as a temporary activity. (Refer Rule A2.2).

Intensive farming is defined in Chapter 2 (Definitions). It can involve potential odour problems, noise, and large quantities of effluent. The problems arise largely from the intensive way in which the animals are kept. The same animals run on pasture would have a similar impact to horses or cattle. The Plan aims to control the scale of **intensive farming** and its proximity to neighbours. Accordingly small-scale operations, and **buildings** which occasionally hold animals, are **permitted activities** if they meet specific **yard** requirements. Larger operations will be regarded as **discretionary activities**, and will be assessed on their merits. Separation distances may be substantially reduced if "low-nuisance" designs and management systems are used. The issue of effluent disposal is governed by the **Regional Council**.

This Plan is however still concerned with waste disposal issues, since land use consent should not be granted if effluent disposal cannot be properly taken care of.

Some land uses that are **discretionary activities** in the rest of the Rural **zone** may be more appropriate as **non-complying activities** in **nodal areas**. Activities like **intensive farming, landfills, and [PC64] rural industries and kennels [DELETED PC64]** are potentially incompatible with the rural-residential housing that can be expected to develop in such areas over time.

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

District Plan Methods

- District rules and separation distances – Rule B3, Rural **Zones**.
- Abatement notices or enforcement orders

Other Methods

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

4.4 Residential Zone

Objective

- LU 12) To maintain or enhance the residential character of Feilding’s residential **zones**, and the amenities of its residents, which includes:
- i) A mainly low-density residential appearance, dominated by detached **dwelling**s, but with scope for other forms of housing which provide a range of different lifestyle options.
 - ii) A safe **environment** free of potentially hazardous installations. (Refer also: Objective LU 26).
 - iii) A green, well-treed appearance and open **streetscape**, with landscaping wherever possible on streets and in public areas, and with ample room for planting on private sections and **front yards**.
 - iv) Adequate access to sunlight for homes and properties, without prolonged shadowing from **buildings** trees or structures on other **site**.
 - v) Residents are not subjected to fumes, smoke, or odour problems from other properties.
 - vi) A level of aural and visual privacy consistent with suburban living, with a quiet neighbourhood at night. (Refer also: Objective LU 25)
 - vii) DELETED - NPS-UD 2020
 - viii) Neighbourhood streets cater for pedestrians and local traffic rather than encouraging through-traffic. Heavy vehicles are seldom seen in neighbourhood streets. The design of residential areas promotes traffic safety and walking or cycling as modes of transport. (Refer also: Objectives LU 27 and S 9).
 - ix) Problems associated with dogs and other wandering, dangerous or noisy animals are kept to a minimum. Stock droving does not occur through town.
 - x) Residents have good access to public open space, and to social, recreational and appropriate employment opportunities in the residential **zone**, e.g. places of assembly, **education facilities** and community services. Adequate access to these places is provided for people with disabilities. (Refer also: Objective S 9).
 - xi) Residential streets generally have a tidy appearance.
 - xii) Any impacts of non-residential activities on the residential **environment** are avoided, remedied or mitigated, particularly in terms of noise, traffic generation, parking requirements, outdoor storage space, potential danger and visual appearance.
 - xiii) A high level of amenity and avoidance of those activities that can detract from this including unfinished or derelict **buildings**, piles of junk and car bodies being stored outside (Issue 5) (Refer also: Objectives LU 1, LU 2 and LU 5).

Policies

- a) To ensure that new and existing development does not adversely affect the character and amenity of the Residential **zone**.

- b) [DELETED PC 55]
- c) To recognise the benefits which **home occupations** can have, so long as any adverse **effects** on the **environment** are kept to a minimum.
- d) To recognise that residential properties near Business or Industrial **zones** may experience permitted adverse **effects** resulting from activities in those **zones**.
- e) To avoid where possible, or mitigate the adverse visual **effects** of activities which are inherently unsightly or are detracting from the visual amenities of the **zone**.

Explanation

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

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

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

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

District Plan Methods

- District Rule B1, Residential **Zone**.
- Abatement notices and enforcement orders

Other Methods

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

4.5 Village Zone

Objectives

- LU 13) To maintain and develop the unique character and separate identity of the District’s smaller settlements, namely Kimbolton, Apiti, Halcombe, Bunnythorpe, Longburn, Sanson, Rongotea, Himatangi Beach and Tangimoana. This distinctive “village” character is different from Palmerston North and Feilding, and results from elements such as:
- i) A low density of residential development with larger section sizes and more open space.
 - ii) Different **road** formation standards with less concrete and asphalt and more grass and shrubs.
 - iii) Closer access to, and similarities with, the countryside.
- LU 14) To maintain or enhance the residential amenity within those communities, which includes:
- i) A mixture of residential, commercial, service, industrial and community activities is achieved while protecting and enhancing the amenities of the village as a place to live.
 - ii) Access to adequate sunlight for residents’ homes and properties, without prolonged shadowing from **buildings**, trees or structures on other **sites**.
 - iii) Residents are not subjected to fumes, smoke or odour problems.
 - iv) A level of aural and visual privacy consistent with small township living, with a quiet neighbourhood at night. (Refer also: Objective LU 25).
 - v) A green, well-treed appearance and open **streetscape**, with planting on streets and in public places wherever possible, and with ample room for planting on private sections and **front yards**.
 - vi) Most vehicle parking being provided **on-site** rather than on the street
 - vii) Residents have access to public open space and to recreational and social opportunities, e.g. places of assembly, **education facilities** and community services. Adequate access is provided to these places for people with disabilities.
 - viii) The township generally has a tidy appearance.
 - ix) Neighbourhood streets cater for pedestrians and local traffic rather than encouraging through-traffic. Street design promotes traffic safety and recognises that walking and cycling are important methods of transport. (Refer also: Objective LU 27).
 - x) Problems associated with dogs and other wandering, dangerous or noisy animals are kept to a minimum. Stock droving does not occur through the centre of the village.
 - xi) Recognising that some of the villages are sited near broad-impact land uses.
 - xii) A high level of amenity and avoidance of those activities that can detract from this including unfinished or derelict **buildings**, piles of junk and car bodies being stored outside.
(Issue 5) (Refer also: Objective LU 5).
 - xiii) **Buildings** and structures in Rongotea South Development Area are located and designed to manage the risk of natural hazards.

Policies

- a) To ensure that new and existing development does not adversely affect the character and amenity of the Village **zone**.
- b) To assist in improving the visual appearance of the District’s settlements.
- c) To improve traffic safety within the communities, particularly those which have arterial routes running through them. (Refer also: Objective LU 27).
- d) To ensure that the housing density sought in the unsewered townships takes the possible cumulative **effect** of domestic effluent disposal into account.
- e) To ensure that non-residential activities are compatible with the township concerned, and have acceptable impacts in terms of noise, traffic generation, parking requirements, potential danger, and visual appearance.
- f) [DELETED PC 55]
- g) To avoid where possible, or mitigate the adverse visual **effects** of activities that are inherently unsightly, or are detracting from the visual amenities of the **zone**.
- h) Require development within Rongotea South Development Area to provide appropriate permeable surface areas to minimise the effects of flooding.
- i) To manage the risk of stormwater inundation within Rongotea South Development Area by requiring low impact stormwater design solutions and minimum floor levels (if required).
- j) To encourage an active street and reserve frontage within Rongotea South Development Area through design controls for yards and fencing.

Explanation

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

A common theme for the smaller settlements is that their village character is valued. Residents have chosen not to live in a large town. Himatangi Beach and Tangimoana in particular are viewed as places of retreat. Residents want a bit of space around them and like the quality of life, which is difficult to define but includes having “nice people” in the community. Each settlement should develop in ways which don’t compromise the character which people value. The Plan’s policies for outward spread of each township are set out in Chapter 5.3.8. This is complemented by a provision for possible development of rural house allotments (down to 4000 m² in size) as a discretionary activity around the perimeter of most of the Villages. (Refer Section 5.3.3 Policy b.)

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

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

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

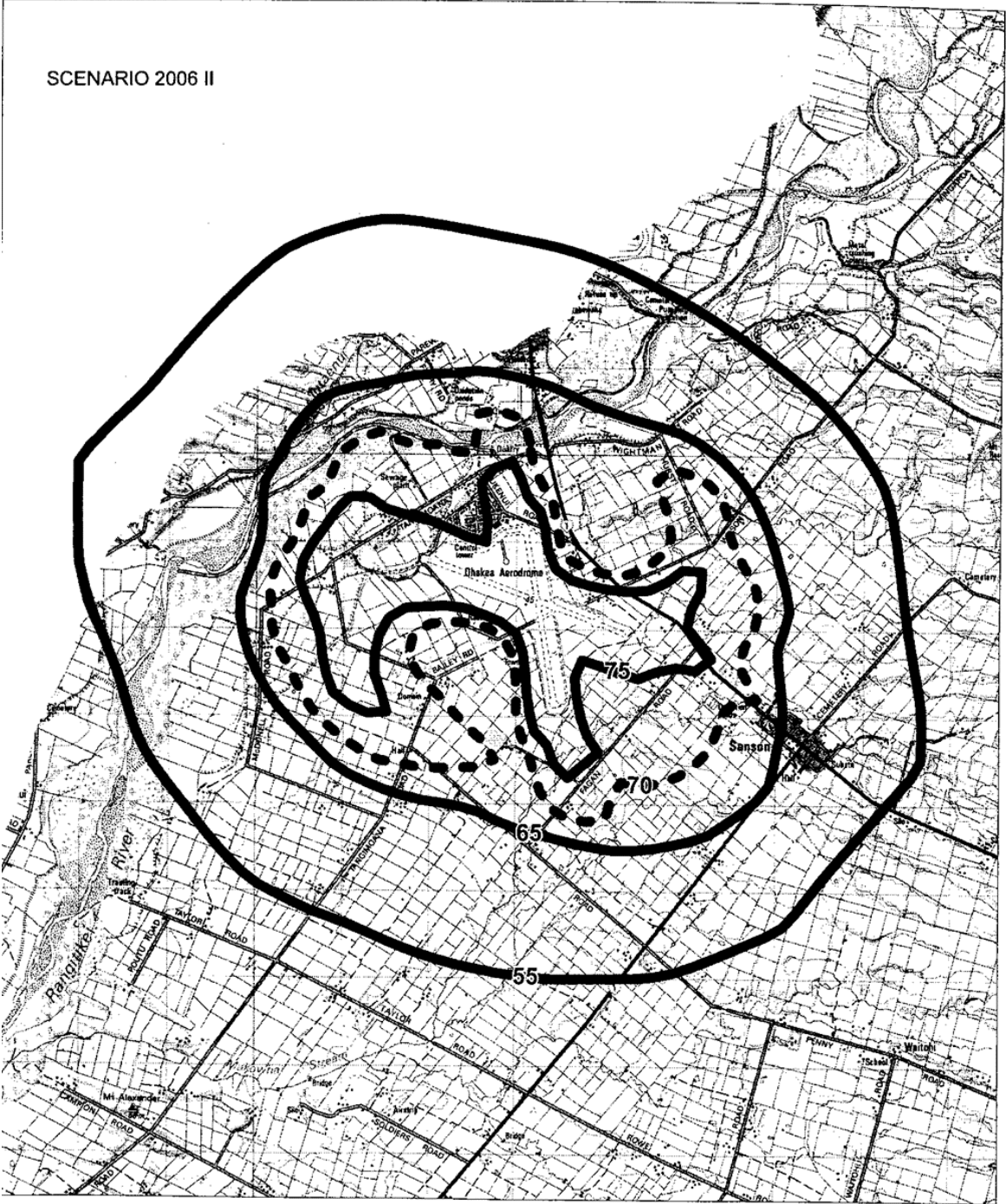
District Plan Methods

- District Rule B2 (Village **Zone**).
- Abatement notices and enforcement orders.
- Plan rules setting the maximum density of development in each township (Rule B2.3.1 a.) and defining any limitations to its future growth.

Other Methods

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

FIG.1 - Ohakea Airbase – Calculated Noise Contours (dBA Ldn)



NB – An explanation of “Ldn” noise measurements is contained in Fig. 3. (Page 38).

4.6 Business Zones

NB – Applicable only to **sites** not rezoned Inner or Outer Business as a result of PC46

Objectives

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

(Issue 5f)

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

- i) Shop frontages within the central core of Feilding uninterrupted by vehicle accessways.
- ii) DELETED - NPS-UD 2020
- iii) Provision of pedestrian and cycle facilities, along with adequate access for people with disabilities.
- iv) The existing historic character of the Central Business District and the Heritage Precinct in particular.
- v) Appropriate greenery and pleasant sunlit places for people to sit and enjoy.
- vi) **Buildings** and **sites** which are maintained to a high standard of appearance.
- vii) Signage which does not produce visual clutter or create a traffic hazard.
- viii) Security for premises in the **zone**.
- ix) Avoiding problems associated with wandering, dangerous or noisy animals.

(Issue 5) (Refer also: Objective LU 5).

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

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

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

Policies

- a) To help make the Business **zones** more attractive, vibrant and user-friendly places.
- b) To improve awareness about, and protection of heritage places within the centre of Feilding and the Heritage Precinct in particular. (Refer also: Objective HV 1).
- c) To encourage new and existing development to fit in with the historic character of the Heritage Precinct.
- d) To require verandah shelter on re-development adjoining Feilding’s main shopping streets (Refer Rule B4.3.1 h.).
- e) To recognise the valuable contribution which the saleyards make to the character and heritage of Feilding.
- f) [DELETED PC 55]
- g) To ensure that people working and doing business in the **zones** are not subjected to undue nuisance.
- h) To ensure that residents of business **zones** have a level of amenity which recognises that some permitted adverse **effects** may arise from other activities in the **zone**.
- i) [DELETED PC 55]

Explanation

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

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

The District Plan’s role is to help provide a pleasant physical **environment**, and to leave the businesses in the **zones** free of unnecessary restrictions. Any initiatives aimed at improving the financial viability of the town’s businesses will be done by methods outside this Plan.

The heritage **buildings** and saleyards in the town centre play an important part in its unique character and identity. (Policies b., c. & e.). This Plan provides for the saleyards and for the protection of the most important heritage **buildings** (Refer: Chapter 3.4). It is vital for this heritage to be preserved, as the past is now part of our future (e.g. attracting tourists.) Old **buildings** can recapture their original style and new developments can respect the scale and style of the past. To ensure that the Edwardian character of the town centre is not lost or compromised, existing heritage facades must be retained. Most of the older **buildings** in the town’s Heritage Precinct have therefore had at least their facades

listed for protection. (Refer Appendix 1E). New facades should be of an appropriate design which fits comfortably alongside older **buildings**.

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

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

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

District Plan Methods

- District Rules A2.3 and B4, (Business **Zone**) and Appendix 1H.

Other Methods

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

4.7 [DELETED PC52]

4.8 Recreation Zone

Objectives

- LU 20) To cater for the recreational needs of the District’s people, while maintaining the amenities of other **zones**. (Refer also: Objectives LU 12 and LU 14).
- LU 21) To enhance the level of amenity within the Recreation **zones**, so that:
- i) Residents have access to and within the **zone** for active and/or passive recreation.
 - ii) Provision is made for walkways and cycleways where appropriate, and for access by disabled people.
 - iii) Parking areas are an appropriate size, to maximise the amount of space available for recreation.
 - iv) Any special heritage values of the reserve are protected and enhanced. (Refer also: Objectives HV 1 and HV 2).
 - v) The safety of people using facilities in the **zone** is promoted fully.
 - vi) **Buildings** are maintained to a high standard of appearance, and open spaces are attractive.
 - vii) People using the **zone** are not subjected to nuisance from incompatible activities.
 - viii) Problems associated with dogs and other wandering, dangerous or noisy animals are avoided.

(Issues 5 and 12)

Policies

- a) To provide for a wide range of recreational facilities in the **zone**, consistent with the approved management plans for the reserves.
- b) [DELETED PC 55]

Explanation

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

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

District Plan Methods

- District Rule B6 (Recreation **Zone**).

Other Methods

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

4.9 Activities On The Surface Of Rivers And Lakes

Objective

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

(Issue 5)

Policies

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

Explanation

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

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

District Plan Methods

- District Rule A2.6.

Other Methods

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

4.10 The Coastal Area

Objectives

- LU 23) To protect the natural character and heritage value of the coastal area from inappropriate subdivision, use and development. (Refer also: Objectives HV 1, LU 9, and EM 3). [PC65]
- LU 24) To ensure continued public enjoyment of the coast. (Refer also: Objectives EM 1 and EM 2).
(Issues 5, 6, 7, ~~11~~ and 12) [PC65]

Policies

- a) To protect the identified significant natural, cultural and landscape values of the coastal area, including:
- i) The scenic qualities of the beach and foredunes.
 - ii) Its ecological values, particularly those of the interdunal lakes, streams and **wetlands**.
 - iii) Its recreational value.
 - iv) Its significance to the Tangata Whenua.
 - v) The scientific value of its coastal geology.
 - vi) Its cultural and archaeological value.
- (Refer also: Objective LU 9). [DELETED PC65]
- b) *To control the spread of urban development such as at Himatangi Beach and Tangimoana, recognising the following constraints:*
- i) The potential for sand inundation and erosion at Himatangi Beach.
 - ii) The possibility of future sea level rise.
 - iii) Potential impacts upon the above natural and landscape values.
 - iv) Impact of any growth in Tangimoana upon the ecological value of the adjacent Rangitikei River estuary.
 - v) River control and drainage limitations at Tangimoana.
 - vi) The need to supply adequate sewerage and water supply facilities.
- (Refer also: Objectives S 8 and NH 2).

- c) To avoid, remedy or mitigate any adverse **effects** of rural subdivision upon the natural character and ecological value of the coastal area.
- d) To maintain or enhance public access to the coast and to help provide the facilities which enable people to enjoy it, in a manner which protects sensitive areas and does not detract from the coast's natural character. (Refer also: Objective EM 2).
- e) To avoid, remedy or mitigate any adverse **effects** of activities in the coastal area upon people, including public safety.
- f) To promote restoration planting of sand dunes, preferably using indigenous species if practical, and local genetic stock.

Explanation

Objective LU 22 follows on from Section 6 of the **Act** (Refer: Page 1). The Regional Policy Statement recognises the District's coastline, namely the beach, foredunes and interdunal lakes and **wetlands**, as an outstanding landscape. It has a number of other policies relevant to management of the coast. The Government's NZ Coastal Policy Statement also provides some overall direction. It states that "It is important to maintain biological and physical processes in the coastal area in as natural a condition as possible, and to recognise their dynamic, complex and interdependent nature."

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

Dune lakes, swamps and young dunes are very poorly represented in the District's coastal area. The coastal strip of the District where sand is still drifting or has been stable for no more than 50 years is particularly important ecologically due to the distinctive plant communities which it supports. It has been identified on the Planning Maps as the "coastal vegetation area" and is subject to special controls on clearance of vegetation for this reason. (Refer Appendix 1J). 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: Chapter 11.2). Responsibility for the beach front is split under the **Act**, with District Councils looking after the area above the high tide mark (Mean

High Water Springs) and **Regional Councils** and the Department of Conservation having responsibilities in the area between high tide and the 12 mile limit. The various authorities therefore need to work closely together.

There are a number of good reasons for being cautious about further development in the coastal area. As well as landscape and ecosystem impacts, the potential natural hazards and servicing constraints justify a policy of limiting urban growth. For these reasons the Plan's rule allowing possible development of rural house allotments (down to 4000 m² in size) as a discretionary activity around many of the District's villages does not apply to Himatangi Beach or Tangimoana. Likewise rural subdivision in the coastal area has been made a discretionary activity so that its impact upon the coastal **environment** can be assessed. (Refer Rule C1.3.1).

District Plan Methods

- District Rules B2, B3, C1 and C3.
- District Rules B3.4.1 a. ii) and B7.4.1 a. ii).

Other Methods

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

4.11 Noise Management

Objective

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

(Issue 5)

Policies

- a) [DELETED PC 55]
- b) [DELETED PC 55]
- c) To apply the concepts of the NZ Standard for Airport Noise (NZS 6805:1992) to airports in the District, and to the land in the immediate vicinity of airports.
- d) To exclude any new school, place of assembly, hospital, **dwelling** or other accommodation from the Air Noise Area around Milson Airport.
- e) To mitigate the adverse **effects** of aircraft noise on any new school, place of assembly, hospital, **dwelling** or other accommodation in the Inner and Outer Control Areas around Milson Airport.
- f) [DELETED PC 55]

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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 Milson Airport which are subject to varying levels of noise intrusion from aircraft operations. A level of noise nuisance also results at times from light aircraft use of the Feilding Aerodrome at Taonui. The predicted future noise impact of Ohakea and Milson airports is shown on [Fig. 1](#) and [Fig. 2](#). **Council** recognises that all three airports are an important physical resource for the Manawatu region, including Palmerston North. They are key links in the regional transport network and national defence system, and together they enable people within the region to provide for their social and economic well-being. It is therefore essential to put in place appropriate protection to ensure the efficient on-going use and development of the airports.

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

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

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

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

Schedule P	20 decibels
Schedule Q	25 decibels
Schedule R	30 decibels

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

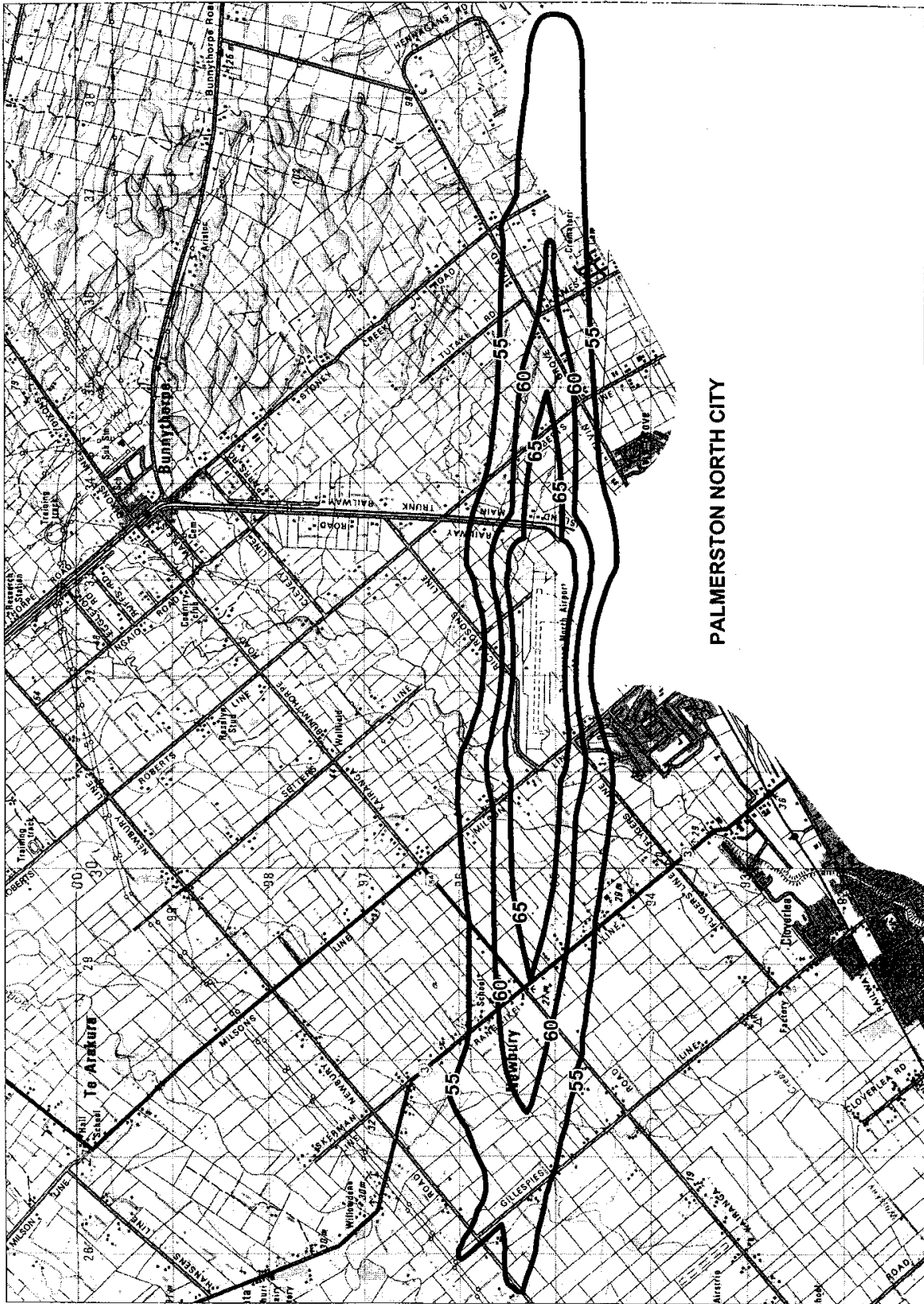
The responsibility for mitigating air noise impacts should not fall solely on present and future land owners around the airport. The airport operators should also play their part by working within noise limits and by looking for the best practicable option for noise reduction. To this end, the Palmerston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

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

District Plan Methods - [DELETED PC 55]

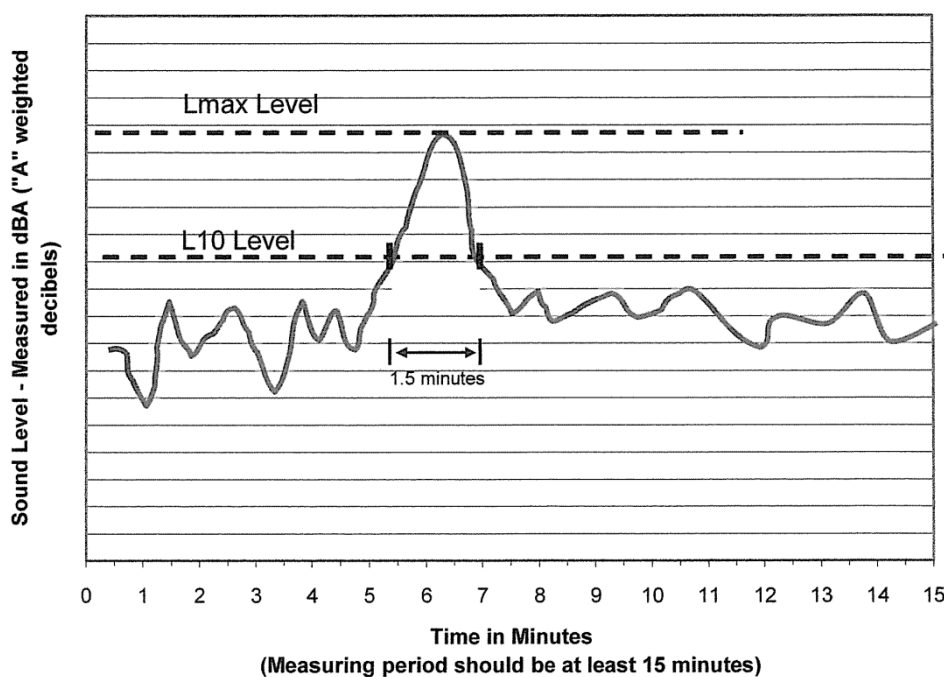
Other Methods - [DELETED PC 55]

FIG. 2 – Milson Airport – Calculated Noise Contours (DBA LDN)



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

Fig 3. – Interpreting Noise Standards

**Notes:**

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

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

4.12 Hazardous Substances and Contaminated Sites

Objective

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

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

Policies

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

Explanation

District and **Regional Councils** are responsible under the **Act** for preventing or mitigating “*any adverse effects of the storage, use, disposal or transportation of hazardous substances*” (Sections 30 and 31). Hazardous substances include those which are explosive, flammable, oxidising, toxic, carcinogenic, radioactive, corrosive or environmentally persistent. There are also “harmless” materials which can sometimes be dangerous (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, though the LIM process. In a few cases the contamination may be bad enough to warrant Plan controls which prevent land uses such as housing or schools being built on or next to the polluted **site**. The need for such controls in the future will be assessed on the merits of the particular case.

District Plan Methods

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

Other Methods

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

4.13 [DELETED PC 55]

4.14 Maori Land and Marae

Objective

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

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

Policies

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

Explanation

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

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

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

District Plan Methods

- District Plan Methods
- District Rule B.

Other Methods

- Heritage Recognition

4.15 Manfeild Park

Objectives

- LU 29) To enable the operation of Manfeild Park as a major multi-purpose event facility, whilst avoiding adverse **effects** on the surrounding **environment**.
- LU 30) To protect the **amenity values** of the surrounding **environment**.
- LU 31) To ensure **buildings** are of a bulk and scale sufficient to provide for a range of activities, while not compromising the amenity and open space character of Manfeild Park.
- LU 32) To recognise the historic heritage of Manfeild Park and the importance of the **site** as a key amenity feature in the District.

Policies

- a) To recognise the multi-purpose nature of activities located within the Manfeild Park **Zone**.
- b) To manage future growth and development of recreation and event activities and associated facilities in the Manfeild Park **Zone**.
- c) To avoid, remedy or mitigate the **effects** of **buildings**, structures and development on neighbouring areas.
- d) To avoid, remedy or mitigate any adverse environmental **effects** from **community events** and activities on neighbouring residential areas.
- e) To enable a wide range of event-related commercial, recreational, cultural, civic and educational activities to establish and operate within the Manfeild Park **Zone**.
- f) DELETED - NPS-UD 2020.
- g) To maintain the sense of openness and uninterrupted views at Manfeild Park by protecting key view shafts from South Street, Kawakawa Road, Kowhai Park and Rata Street into Manfeild Park.

Explanation:

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

4.16 Special Development Zone

Objectives

- LU 34) To enable **ancillary activities** to the operation of Manfeild Park as a multi-event facility whilst avoiding adverse **effects** on the surrounding **environment**.
- LU 35) To ensure **buildings** within the Special Development **Zone** are of a bulk and scale sufficient to complement the amenity and open space of the adjoining Manfeild Park.
- LU 36) To recognise the historic heritage of Manfeild Park and the importance of the **site** as a key amenity feature in the District.
- LU 37) To ensure business activities are not displaced from the Feilding Central Business District.

Policies

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

Explanation

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

4.17 Environmental Results Anticipated

- 1 Tangata Whenua are satisfied that **Maori land** and resources are able to be used in accordance with Maori cultural preference, with any adverse environmental **effects** being addressed. (Objectives LU 4 and LU 28).
- 2 Soil compaction, contamination or removal do not have a significant adverse **effect** upon the life-supporting capacity or versatility of the District’s rural soils. (Objective LU 7).
- 3 No significant adverse **effects** from development upon the rural character and amenity of rural areas, or upon the quality of the District’s outstanding landscapes. (Objectives LU 8 and LU 9). [PC65]
- 4 Levels of complaint from rural residents about rural activities on other properties are low, and do not result in curtailment of those activities. (Objectives LU 10 and LU 11).
- 5 Most residents of Residential and Village **zones** are satisfied with the amenity of their neighbourhood and town as a place to live. (Objectives LU 12 and LU 13).
- 6 People regard Feilding’s Business **zone** as an attractive place to do business. (Objective LU 16).
- 7 No listed heritage **buildings** or facades in central Feilding are demolished or substantially modified without scrutiny of alternative options through the resource consent process. Any new structures or redevelopment of existing **buildings** in the town centre fits in with the historic character of the Heritage Precinct. (Objective LU 16).
- 8 Activities in Business, Industrial and Recreation **zones** do not have a significant adverse **effect** upon the **environment** or upon residents in other **zones**. (Objectives LU 17, and LU 20).
- 9 Subdivision, land use and development does not have a significant adverse **effect** upon the natural character or heritage value of the coastal area. (Objective LU 23).
- 10 [DELETED PC 55]
- 11 No recurring complaints about noise from water craft, and minimal complaints from residents of sound-insulated **dwelling**s about aircraft noise at Milson Airport. (Objectives LU 22 and LU 25).
- 12 Hazardous substance use, transport and storage is undertaken with adequate safety features, and no health problems related to contaminated **sites** are confirmed. (Objective LU 26).
- 13 [DELETED PC 55]
- 14 [DELETED PC 55]
- 15 No arterial route suffers a reduction in the level of service which it can provide, due to ribbon development or a proliferation of driveways along it.

4.18 Monitoring and Review Procedures - Managing Land Use Effects

The procedures to be used will include:

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

- n) Assessing how effective land use consent conditions and other methods have been in avoiding or mitigating the adverse **effects** of land use activities, and changing these methods if necessary.