



Plan Change 52 – Industrial Zone

Operative date - 11 September 2017

Text in blue is not part of this Plan Change and will be evaluated as part of Plan Change 55 – District Wide Rules.

1. CHAPTER 2 – Definitions

1. Delete the existing definitions for **Portable Sawmill** and **Sawmill**.
2. Approved definitions (new and amended) in alphabetical order:

AGRICULTURAL VEHICLES SALES AND SERVICE means an activity involving the sales and/or service of farm vehicles or other heavy vehicles.

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

- a. Animal and animal-product processing
- b. Abrasive blasting
- c. Cool stores and pack houses
- d. Engineering works
- e. Fibre-glassing
- f. Firewood processing and storage
- g. Grain drying and processing
- h. Landscaping storage and supplies
- i. Panel beating and spray painting
- j. Timber processing and treatment
- k. Transport depots
- l. Vehicle wrecking and scrap yards
- m. Waste material collection, processing and disposal including refuse transfer stations and recycling depot/resource recovery centre activities (excluding the day-to-day removal of refuse, by Council or an authorised contracting agency).

LANDSCAPE STRIP means, in relation to the Industrial Zone, a strip of land to be planted in accordance with Appendix 16.1, to improve visual amenity of the surrounding area rather than to screen activities on the subject site from view beyond the site.

LATERAL SPREAD OVERLAY means an area identified on the District Planning Maps, for which planning controls are applied to ensure foundations for new development can tolerate deflections imposed by liquefaction-induced ground subsidence.

Sites within the Overlay were identified in the Feilding Liquefaction Study, 2013, as being moderately susceptible to liquefaction. The risks of liquefaction identified in that report do not preclude development.

LUNCHBARS AND DAIRIES for the purposes of the Industrial Zone, means any food outlet which is intended to provide for the day to day needs of workers in the surrounding Industrial Zone. Such facilities may be retail activities, secondary to the principal use of the site for industrial activities, or exist in their own right but must not exceed 100m² **gross floor area**.

PB40 refers to the typical horticultural sector method for describing plant size at time of planting. PB stands for Pint Bags. These are typically high quality UV stabilised black plastic Planter Bags otherwise known as PB Bags.

1 pint = 600ml. As a rough guide, multiply the PB number by 0.6 to get the volume in litres of the bag. A planter bag required to be PB40 should measure approximately 230 x 230 x 460 x 125mu and comprise a volume of approximately 18-25 litres.

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

SCREEN PLANTING AREA means in relation to the Industrial Zone, an area required to be planted in accordance with Appendix 16.1, to screen activities on the subject site as far as practicable, from view from the adjacent road or non-industrial zoned land.

WORK SKILLS TRAINING CENTRE means an **educational facility** which teaches any NZQA accredited course to develop or enhance basic or technical skills including apprenticeships associated with trade, industrial or commercial activities.

2. CHAPTER 4 – Managing Land Use Effects

Delete the existing Section 4.7 INDUSTRIAL ZONES including objectives and policies and associated matters under the headings Explanation, District Plan Methods and Other Methods.

3. Rule B5 (renamed CHAPTER 16) - Industrial Zone

1. Delete Rule B5 – Industrial Zone.
2. Insert new chapter to be named Chapter 16 - Industrial Zone, as indicated below:

16 INDUSTRIAL ZONE

16.1 Introduction

Manawatu District is well placed to service both wet and dry industrial activities with no significant land or infrastructure impediments to processing activities. The Council has been active in this regard to facilitate future industrial development and to encourage existing industrial activity to prosper and expand within the District.

The Feilding Urban Growth Framework Plan 2013 (the Framework Plan), estimates that 170 hectares of land is presently zoned Industrial. The Framework Plan anticipates future demand for 15.6ha of industrial land by 2041. The majority of future demand for industrial land (11ha) is likely to be required between 2011 – 2021, being 70% of the total projected demand to 2041. Industrial growth is an area of key strategic importance to the Manawatu District.

The majority of industrial activity is located, within the Feilding township at the Riverside, Oroua River and Kawakawa Industrial areas. Small pockets of industrial land are retained along local transport routes such as Makino and Lethbridge Roads, and at Rongotea.

Although undeveloped land is zoned for industrial use, this tends to be held in large parcels and in limited ownerships. These factors tend to be viewed positively by prospective large industries and can be a negative factor for smaller enterprises. Employment in the industrial sectors, centred primarily in the Feilding industrial area, is forecast to increase steadily by around 20% to 5,100 people by 2041.

Given the nature of **effects** that can arise from industrial activities, it is important to provide and promote suitable locations with sufficient market choice to accommodate the demands of the various small to large, wet and dry industries that may contemplate development in Manawatu. It is equally important that suitable land is zoned for industrial activities and appropriate restrictions apply to non-industrial activities to avoid or minimise the potential for risk, reverse sensitivity and other potential issues and to protect industrial land for industrial type activities.

To meet future demand, **Council** is expanding the existing Industrial Zone at Kawakawa/Turners Road. The **Growth Precinct 5** Structure Plan¹, for the Kawakawa Industrial Park Growth Area (Appendix 16.2) demonstrates **Council's** commitment to facilitate well-designed, integrated and sustainable industrial development and expansion in the Feilding industrial area.

The Industrial Zone provisions focus on providing an efficient and effective zone for industrial activities, while improving and managing the visual amenity of the Industrial Zone, particularly where such land is potentially visible from public places or adjacent zones.

¹ Feilding Urban Growth Framework Plan, 2013, prepared by Boffa Miskell.

The Plan will maintain amenity values for sites within and beyond the Zone and maintain or enhance amenity values for Industrial zoned sites adjacent to arterial routes or key entry points to townships. In the Kawakawa Industrial Park Growth Area this will be achieved with structure planning to provide landscaping, building design and site layout guidance.

Reverse sensitivity is the potential for a lawfully established activity to be constrained or curtailed by the more recent establishment of activities sensitive to the environmental effects generated by the original activity.

The Industrial **Zone** provisions are framed to minimise the opportunity for reverse sensitivity issues to negatively impact on lawfully established industrial activities, whilst encouraging best practice operations and appropriate amenity values within the Zone.

Manawatu-Wanganui Regional Council completed a Lifelines Project, which identified that at a very broad level the Kawakawa Industrial Park Growth Area has a moderate susceptibility to liquefaction. The Manawatu District Council commissioned a high-level liquefaction risk assessment in December 2013. This study included site investigations to assess the geotechnical issues related to the hazard posed by liquefaction. The Feilding Liquefaction Study found that the liquefaction hazard is generally low in the development areas, with localised pockets of silt which have the potential to liquefy. However, this risk was not sufficient to preclude development. Rather planning controls were recommended to ensure foundations for new development could tolerate deflections imposed by liquefaction-induced ground subsidence. Areas subject to such controls are identified within the **Lateral Spread Overlay** on the planning maps.

This chapter is intended to be read in conjunction with Chapter 3 - District Wide Rules and Chapter 4 - Historic Heritage. If the rules contained in this chapter are more restrictive than those in Chapter 3 or 4, then they shall apply.

16.2 Resource Management Issues

The following resource management issues have been identified in the Industrial **Zone**:

1. The need to provide land in suitable locations and of appropriate size to sustain and expand industrial activities within the Manawatu District.
2. The need to manage the potential effects that the existence, establishment and expansion of non-industrial activities located in or adjacent to the Industrial **Zone** can have on the ability of industrial activities to establish, operate or expand.
3. The desire to achieve an appropriate level of amenity within the Industrial Zone, including enhancing amenity values on sites adjacent to key entry points to townships and arterial routes and to maintain or enhance amenity values where practical, particularly visual amenity, of adjacent more sensitive zones.

4. The need to manage the potential effects of industrial development on the environment, including increases in stormwater run-off resulting from increased impermeable surfaces.

16.3 Objectives and Policies

Objective 1

To promote the establishment, expansion and operation of a range of industrial activities within the Industrial **Zone**.

Policies

- 1.1 To enable a wide range of **activities** to locate and operate within the Industrial **Zone**.
- 1.2 To protect the effectiveness and efficiency of the Industrial Zone for existing and potential future industrial activities by avoiding the establishment of activities within the Zone, that have the potential to constrain the establishment, ongoing operation or expansion of industrial activities.
- 1.3 To control the design of **building** foundations, new infrastructure and associated works on **sites** identified as susceptible to lateral spreading hazards on the planning maps.

Objective 2

To manage adverse effects of industrial activities on the environment, to promote appropriate amenity values associated with the Industrial Zone including:

- Maintaining, and where practical, enhancing amenity values within the Industrial Zone and for adjacent sites beyond the Industrial Zone; and
- Enhancing amenity values on sites fronting arterial routes or key entry points to townships.

Policies

- 2.1 To require subdivision, use and development be consistent with any structure plan, to ensure a sustainable pattern of development including by:
 - i. Demonstrating safe integration with existing street layouts and infrastructure;
 - ii. Ensuring that alternative local road layouts in Appendix 16.2 for the Kawakawa Industrial Park Growth Area, achieve the following:
 - a. Provide at least one local road, parallel to the southern half of Turners Road and one local road to give access to the middle of the northern part of the Zone; and
 - b. Confirm that provision of key infrastructure to serve the Zone will not be compromised including consideration of potential adverse effects on development of other sites within the Zone; and

- c. Retain similar provision of access to all sites within the Zone as proposed in Appendix 16.2 Structure Plan; and
 - d. Preserve options to develop the reserve area between the Zone and the Oroua River to provide for future stop banking, riparian planting and creation of a walking / cycling track.
- 2.2 To ensure that subdivision, use and development of land in the Industrial Zone is managed to avoid, remedy or mitigate adverse effects on significant historic heritage.
- 2.3 To ensure that activities located within the Industrial Zone, minimise, as far as practicable, adverse effects beyond the site boundary within the Industrial Zone, including any effects associated with noise, glare or night lighting, and ensure that any effects on adjacent non-industrial zones are consistent with the expected amenity values in that zone.
- 2.4 To require new industrial activities to locate within the Industrial Zone where the associated effects on the environment, particularly related to infrastructure, traffic, noise and amenity values are anticipated, provided for and, as far as practicable confined to the Zone.
- 2.5 To require subdivision, use and development in the Industrial Zone to be designed to:
 - i. Maintain or create an appropriate level of visual amenity and streetscape values within the Zone; and
 - ii. Maintain or enhance visual amenity values, where practicable when viewed from other zones; and
 - iii. Enhance amenity values on sites fronting arterial routes or key entry points to townships.

16.4 Rules

16.4.1 Permitted Activities - Industrial Zone

The following are permitted activities in the Industrial Zone (excluding sites within the Lateral Spread Overlay except as specified in I. below) provided that they comply with the standards in Rule 16.4.2 below:

- a. **Industry**
- b. **Light Industry**
- c. Additions or alterations to any existing **building**
- d. **Agricultural vehicle sales and service**
- e. **Ancillary activities**
- f. Standalone car parking activities and **buildings**
- g. Construction of any **building** associated with a **permitted activity**

- h. **Lunch Bars and dairies**
- i. **Seismic strengthening**
- j. **Service stations**
- k. Work skills training centres
- l. Outdoor storage areas, public open space, car parking and farming (excluding **buildings**) are the only activities permitted within the **Lateral Spread Overlay**
- m. **Earthworks**
- n. **Signs.**

16.4.2 Industrial Zone – Standards for permitted activities

For the Industrial **Zone**, the **permitted activities** specified above must comply with the following standards:

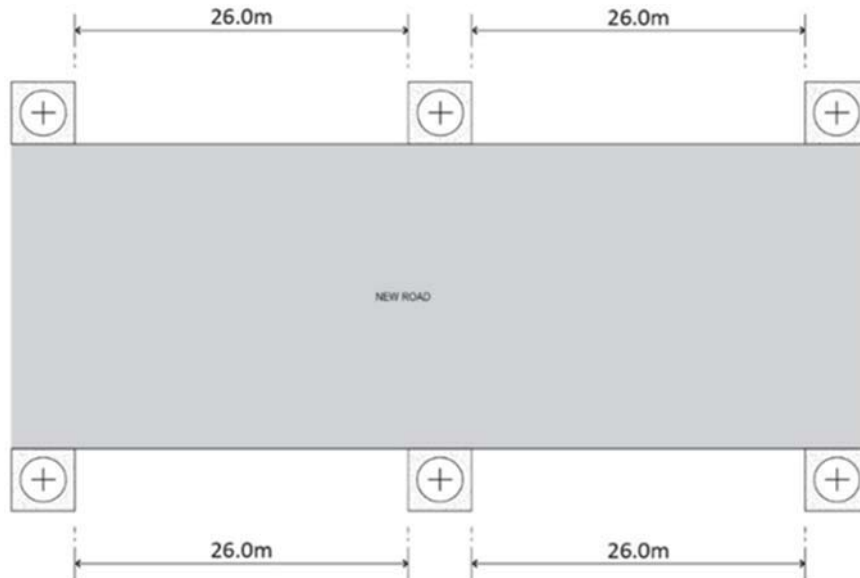
- a. **Building Setback Yards and Height**
 - i. All **buildings** excluding signs and service station canopies must be set back at least 6 metres from any boundary with a **road** or rail corridor.
 - ii. **Buildings** (excluding on boundaries where (i.) above applies) must be at least:
 - 10 metres from any boundary adjoining land zoned Residential or Village; and
 - 5 metres from any boundary adjoining land zoned Rural, Recreation or Flood Channel 2.
 - iii. Maximum height of any building is 12 metres.
 - iv. Any outdoor storage of goods must be setback at least:
 - 5 metres from any boundary adjoining land zoned Residential or Village; and
 - 2 metres from any boundary adjoining an arterial road or land zoned Rural, Recreation or Flood Channel 2.

Note: Side and rear boundaries must also comply with requirements of the Building Act.

b. Landscape, Screen Planting and Streetscape Design

i. New Road

DIAGRAM 1: NEW ROAD LANDSCAPE PLANTING



NOTE

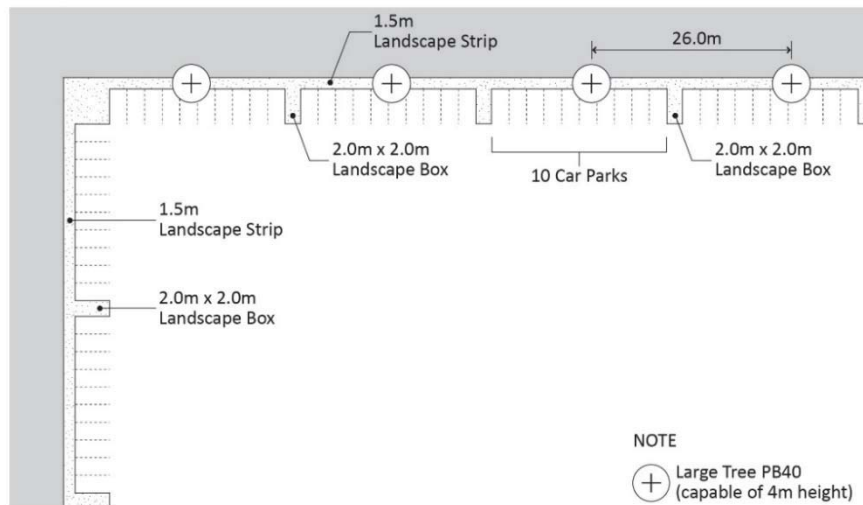
⊕ Large Tree PB40 (capable of 4m height)

Along any new **road** constructed after 11 September 2017, a tree must be planted every 26 metres within the road reserve with a minimum size at planting of **PB40**. It must be capable of growing to a 4 metre **height** with a trunk that can be limbed up to 2 metres, in accordance with Diagram 1.

ii. Formed Car Parking Areas

- a. Within any formed car parking area, 1 specimen tree must be planted for every 10 car park spaces. Trees shall be evenly distributed amongst the parking area and planted in a 2m x 2m landscaping box or similar feature and must include a landscape strip with planting established, in general accordance with Diagram 2 below:

DIAGRAM 2: CAR PARK LANDSCAPE PLANTING



- b. Where 20 or more car parking spaces are provided, all parks must be bound by a 1.5 metre wide landscape strip that must be planted and maintained with low growing shrubs and groundcover not exceeding 0.75 metres in **height**. Every 26 metres along the landscape strip a tree must be planted with a minimum size at planting of **PB40**. Trees must be capable of growing to a 4 metre **height** with a trunk that can be limbed up to 2 metres.
- c. Where less than 10 car park spaces are required, a 2m x 2m landscaping box shall be provided at either edge of the parking area and a landscape strip must be provided along any road frontage, in general accordance with Diagram 2.

Note: The preferred planting species for this Zone are listed in Appendix 16.1.

iii. Screening and Amenity Planting of Interface Areas

a. Residential/Village and Rural **zones**

On **site** boundaries which adjoin a Residential or Village **Zone** a 5m wide screen planting area must be established, planted and maintained with a variety of shrubs and trees (as specified (i) and (ii) of this standard):

On **site** boundaries which adjoin a Rural or Flood Channel 2 **Zone** a 2m wide screen planting area must be established, planted and maintained with a variety of shrubs and trees:

- i. Shrubs must be capable of growing to a minimum **height** at maturity of 4 metres; and

- ii. Trees must be capable of growing to a minimum **height** at maturity of 9 metres.

Note: The preferred planting species for this **zone** are listed in Appendix 16.1.

- b. Major or Minor **Arterial Roads** (excluding car park frontage areas where 16.4.2.b.ii (Formed Car Parking Areas) applies).

- On **sites** which adjoin any major or minor **arterial roads** (excluding Waughs Road) (Refer Appendix 3B.1 Manawatu District Road Hierarchy) or which lie directly across the **road** from a Residential or Village **Zone**, a 2m landscaping strip along the front boundary, but excluding at vehicle crossings, must be provided.
- On sites adjoining Waughs Road/SH 54, a 5m wide landscaping strip must be provided.
- Where landscape strips are to be provided they must be planted and maintained with a variety of low shrubs and trees that will grow to a **height** of at least between 0.5 - 1.0 metres.
- Planting adjacent to any **arterial road** must be frangible (breakable or fragile).

- iv. Any fencing where located adjacent to a road or non-industrial zoned land must be erected internally to the site with landscape planting fronting the road or non-industrial zoned land.
- v. Any planting required by this Rule, must be maintained and if plants perish they must be replaced immediately by the landowner.
- vi. The landscaping along any yard referred to in (iii) of this standard, must not be obscured by fencing.

c. Outdoor Storage Areas

Any outdoor storage areas must as far as practicable be screened and not visible when viewed from any adjacent non-industrial zoned land or arterial road.

d. Glare

Compliance with Rule 3B.4.4Glare – Standard for Permitted Activities.

e. Noise

Compliance with Rule 3C.4.1.

f. Vibration

All activities must be managed so that vibration is not discernible beyond the site boundary.

g. Electrical Interference

All activities must be managed so that no interference with television or radio reception is caused within the Residential or Rural Zone.

h. Stormwater Neutrality

Every site must include a stormwater system designed to achieve stormwater neutrality, appropriate for the activities, use and development of the site, including connection to a Council network, at the following scales:

- i. Over the area of land that is the subject of the proposed activity; and
- ii. Over the Kawakawa Industrial Park Growth Area in which the proposed activity is located.

Note: Where stormwater detention areas cannot be accommodated within the Industrial Zone, an equivalent quantity of stormwater runoff mitigation should be provided in a suitable location outside the zone.

i. Water Supply and Wastewater Disposal

Any use or development of a **site** must be connected to reticulated water and wastewater services and must not cause existing services to be overloaded.

Note: Refer to the New Zealand Fire Service Fire Fighting Water Supplies Code of Practice SNZ PAS 4509:2008 to establish the quantity of water required for firefighting purposes.

j. Parking

Compliance with Rule 3B.4.5 Car Parking Standards for Permitted Activities.

k. Visibility at Railway Crossings

Compliance with Rule 3B.4.2 and Appendix 3B5 Traffic Sight Lines at Road/Rail Level Crossings.

l. Access

Compliance with Rule 3B.4.2.

m. Separation Distance

Any activities involving the slaughtering of animals must be on sites, which are at least 100 metres from any Residential, Village or Business Zone.

n. Visual Amenities

No activity shall involve keeping more than one **derelict vehicle** within view of the Residential Zone or Village Zone or a public place.

o. Signs in the Industrial Zone

Compliance with Rule 3E.4.2

p. Earthworks

Compliance with Rule 3D.4.2

Guidance Note: Odour is regulated by the Manawatu-Wanganui Regional Council.

16.4.3 Restricted Discretionary Activities - Industrial Zone

The following are **restricted discretionary activities** in the Industrial **Zone**:

- a. Any activity, specified in 16.4.1 above, that does not comply with one or more of the standards outlined in Rules 16.4.2.

For (a) above, the **Council** has restricted its discretion to considering the following matters insofar as they are relevant to the standard that will be infringed:

- Building setback **yards**
- Landscape, screen planting and **streetscape** design
- Outdoor storage areas
- Glare, noise, vibration, electrical interference and vehicle movements
- **Stormwater neutrality**, water supply and wastewater disposal
- Parking, visibility at railway crossings, access and separation distances
- Historic heritage and amenity values
- **Signs.**

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

1. Whether the application will result in any adverse **effects** on historic heritage values.
2. Whether the application will maintain, or where practical enhance, the **amenity values** of the Industrial **Zone** or properties beyond the Industrial **Zone**.
3. Whether the application will enhance amenity values on sites fronting arterial routes or key entry points to townships.
4. Whether the application remains consistent with the objective of the standard(s) it infringes.

5. The extent to which there will be adverse **effects** on the **environment** where an application does not meet a performance standard.

16.4.4 Discretionary Activities - Industrial Zone

The following are **discretionary activities** in the Industrial **Zone**:

- a. Commercial services.
- b. Motor vehicle sales and servicing.
- c. Additions or alterations to existing **buildings** associated with any lawfully established activity operating on and prior to date (specific day this PC52 rule takes effect) and which is not listed as a permitted activity in Rule 16.4.1.






16.4.5 Non-Complying Activities - Industrial Zone (This rule replaces existing Rule A2 (2.1) for the Industrial Zone)

The following are non-complying activities in the Industrial Zone:

- a. Any **noise sensitive activity**.
- b. Any activity on land within the **Lateral Spread Overlay**, which is not provided for as a **permitted activity**.
- c. Any activity in the Industrial **Zone** that is not specifically provided for as a **permitted, restricted discretionary or discretionary activity**.

APPENDIX 16.1 – PREFERRED PLANTING SPECIES

LANDSCAPE STRIP

Tanika™ Lomandra	Mat Rush Lomandra tanika	
Rosa floribunda	Flower Carpet Rose	
Coprosma x kirkii 'kirkii'	Coprosma groundcover	
Libertia spp	NZ Iris	
Phormium cookianum Emerald Green	Dwarf Flax	



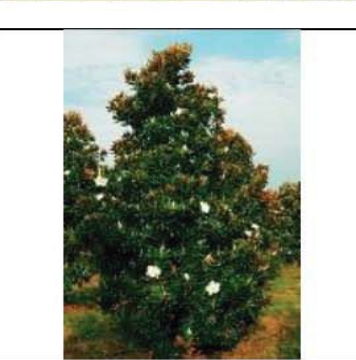


APPENDIX 16.1 – PREFERRED PLANTING SPECIES

LANDSCAPE STRIP

<p>Muehlenbeckia astonii</p>	<p>Shrubby Tororaro</p>	
<p>Rhynchospermum jasminoides</p>	<p>False jasmine</p>	
<p>Camellia sinensis spp</p>	<p>Camellia</p>	
<p>Daphne odora, burkwoodii</p>	<p>Daphne</p>	
<p>Choisya ternata</p>	<p>Mexican Orange Blossom</p>	






APPENDIX 16.1 – PREFERRED PLANTING SPECIES

SCREEN PLANTING

<p>Pittosporum tenuifolium</p>	<p>Kohuhu</p>	
<p>Pittosporum eugenioides</p>	<p>Lemonwood</p>	
<p>Michelia figo</p>	<p>Port Wine Magnolia</p>	
<p>Myrtus communis</p>	<p>Myrtle</p>	
<p>Sophora microphylla</p>	<p>Kowhai</p>	





APPENDIX 16.1 – PREFERRED PLANTING SPECIES

SCREEN PLANTING

<p><i>Griselinia littoralis</i></p>	<p>Broadleaf</p>	
<p><i>Lophomyrtus bullata</i></p>	<p>Rama rama</p>	
<p><i>Olearia Cheesemanii</i></p>	<p>Olearia</p>	
<p><i>Corokia virgate,</i> <i>cononeaster</i></p>	<p>Geenty's Green, korokio</p>	
<p><i>Myrsine australis</i></p>	<p>Mapou</p>	





APPENDIX 16.1 – PREFERRED PLANTING SPECIES

SCREEN PLANTING

<p>Magnolia grandiflora 'Blanchard'</p>	<p>Evergreen magnolia</p>	
<p>Podocarpus totara</p>	<p>Totara</p>	
<p>Cordyline australis</p>	<p>Cabbage Tree</p>	
<p>Pseudopanax crassifolius</p>	<p>Lance wood</p>	






APPENDIX 16.1 – PREFERRED PLANTING SPECIES

SPECIMEN TREES

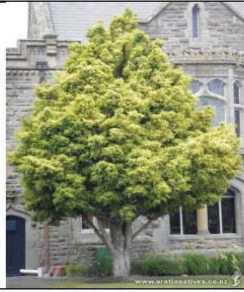



Magnolia grandiflora 'Blanchard'	Evergreen magnolia	
Cornus capitata	Strawberry tree	
Ulmus parvifolia	Chinese Elm	
Ginkgo biloba	Ginkgo	

APPENDIX 16.1 – PREFERRED PLANTING SPECIES

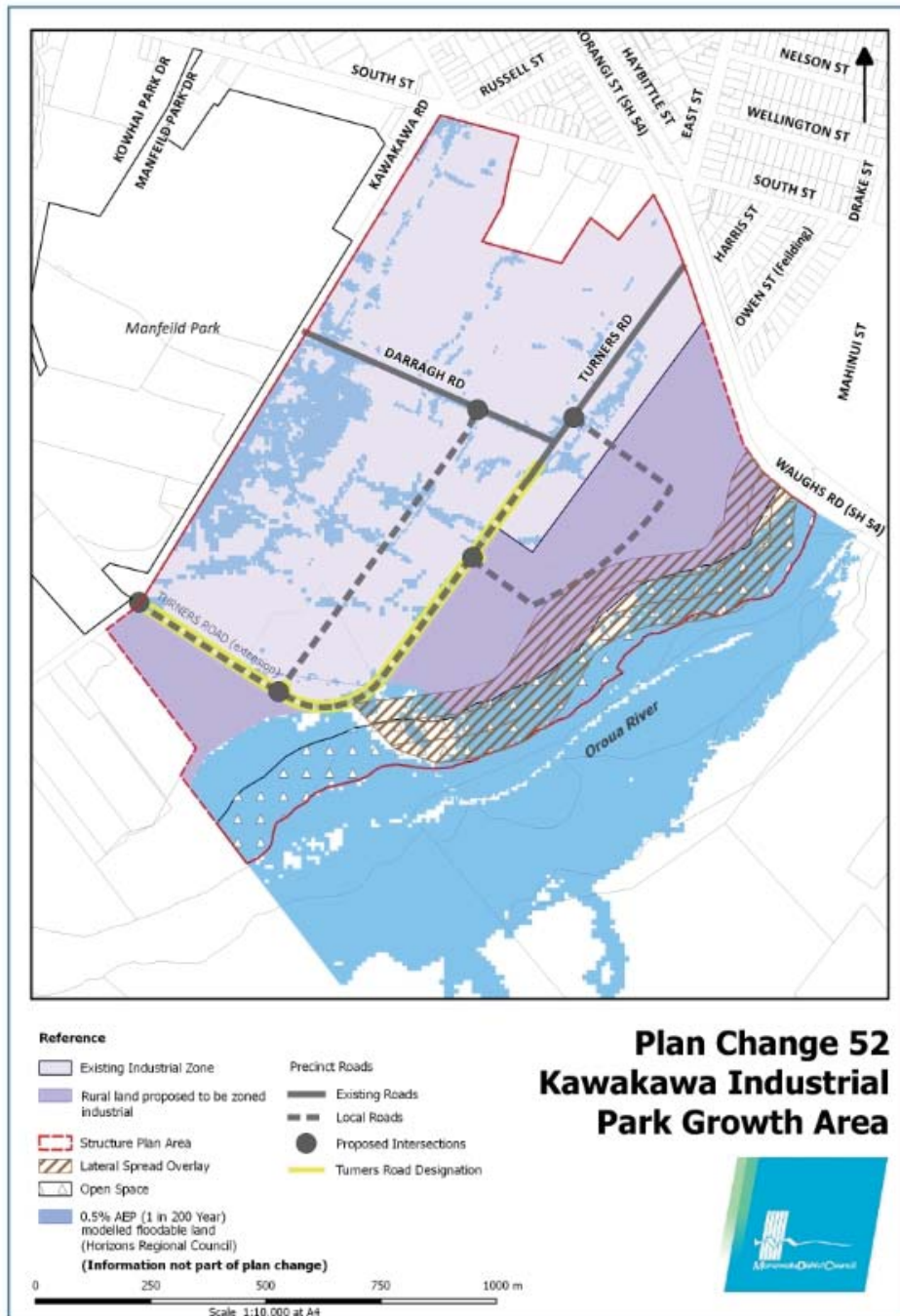
SPECIMEN TREES

<p>Fraxinus raywoodii</p>	<p>Claret ash</p>	
<p>Cornus florida</p>	<p>Dogwood</p>	
<p>Ulmus glabra 'Lutescens'</p>	<p>Golden Elm</p>	
<p>Alectryon excelsus</p>	<p>Titoki</p>	
<p>Sophora tetraptera</p>	<p>Kowhai</p>	

APPENDIX 16.1 – PREFERRED PLANTING SPECIES
SPECIMEN TREES

Podocarpus totara	Totara	
Melia azedarach	Indian Bead tree	
Cordyline australis	Cabbage Tree	
Pseudopanax crassifolius	Lance wood	

APPENDIX 16.2 – STRUCTURE PLAN KAWAKAWA INDUSTRIAL PARK GROWTH AREA



3. Rule C – Subdivision

1. Amend rules to refer to proposed new appendices; and
2. Insert a new rule for stormwater neutrality only.

RULE C – SUBDIVISION

RULE C1 – STATUS OF SUBDIVISIONS

(Refer Part 5, Page 45)

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

1.1 CONTROLLED ACTIVITIES

1.1.1 Specification of Activities

The following subdivisions shall be controlled activities:

- A. ...
- B. Any subdivision for utilities such as substations, transformers or pumping stations, provided that the balance of the site continues to comply with the provisions of this Plan, and that access to the utility is independent of the residual site.
- C. Any Residential zone, Village zone, Business zone, Industrial zone or Recreation zone subdivision which meets the relevant standards set out in Rules C2 2.1 to 2.3 and Rule 2.5
- D. ...
- E. Any Industrial zone subdivision which meets the relevant standards set out in Rules C2.2.1 to 2.3 and the **Growth Precinct** 5 Structure Plan.

1.1.2 Extent of Control

- A. The matters in respect of which Council has reserved its control over controlled activity subdivisions are set out in Rule A1 1.3.2 (Page 92).

1.2 RESTRICTED DISCRETIONARY ACTIVITIES

- A. The following subdivisions shall be restricted discretionary activities:
 - ...
 - v) Any subdivision within a **Growth Precinct** (Appendix 9 A-C or Appendix 16.2) that does not comply with the stormwater neutrality standard in rules C2 2.1.1 E or 2.3.3
 - vi) Any subdivision within a **Growth Precinct** (Appendix 9A-C or Appendix 16.2) that does not comply with the wastewater disposal standard in Rules C2 2.1.1 G or 2.5 D.

1.3 DISCRETIONARY ACTIVITIES

1.3.1 Specification of Activities

- A. The following subdivisions shall be discretionary activities:

...

- vii) Any subdivision within a **Growth Precinct** that is not in accordance with the requirements specified in a relevant Structure Plan (Appendix 9A-C and Appendix 16.2).

1.3.2 Criteria for Assessment

- A. The criteria set out in Rule A1 1.3.4 A), particularly xiv), xxiv) or xxvi), will be taken into account in assessing the above discretionary activities.

RULE C2 – ZONE STANDARDS – SUBDIVISION

NB – Words outlined in bold type below have a specific definition contained in Rule E

2.3 STANDARDS – BUSINESS, INDUSTRIAL, RECREATION, MANFEILD PARK AND SPECIAL DEVELOPMENT ZONES

(Refer Parts 5.3.3 to 5.3.11)

2.3.1 Suitability of Lots

The applicant must demonstrate that all new allotments can be used for a permitted activity in a manner that conforms to this Plan. Development plans for the land being subdivided may be required, to prove compliance with the Plan’s standards.

2.3.2 Access To Rear Sites

Any **entrance strips** to rear **sites** shall be wide enough for heavy vehicle access.

2.3.3 Stormwater Neutrality (Industrial Zone only)

Every subdivision must include a stormwater system designed to achieve **stormwater neutrality**, appropriate for the activities, use and development of the site, including any connection to Council network infrastructure, at the following scales:

- i. Over the area of land that is the subject of the subdivision proposal; and
- ii. Over the **Growth Precinct** in which the subdivision proposal is located.

2.5 FURTHER STANDARDS APPLYING IN ALL ZONES

...

- D. Services In Residential, Village, Business, Industrial, Manfeild Park and Special Development Zones
 - i. Sites in these zones shall be connected to reticulated services, and shall not cause existing services to be overloaded.
 - ii. All cables, including for power, telephone, and street lighting, shall be placed underground, except where existing services are above ground or where in Council’s opinion, underground services are economically unjustifiable due to problems associated with such issues as topography, geology, land stability or operational requirements.
 - iii. Where **rear sites** are being created, or a multi-unit development is being subdivided, easements shall be created over all underground services.
- E. Separation From Boundaries

All proposed boundaries shall be sited at a sufficient distance from buildings to comply with the **yard** and **height** requirements of this Plan, and to meet the fire rating requirements of the Building Act 1991.

1.3 ASSESSMENT OF APPLICATIONS

1.3.1 Reservation of Control - Controlled Activity Land Use Applications...

1.3.2 Reservation of Control – Controlled Activity Subdivision Applications

- A. The matters in respect of which **Council** has reserved its control are:
- i. Provision of water supply and disposal of water, wastewater and stormwater, where the design and capacity of any reticulated system reflects the new and anticipated future demand and requirements.
 - ii. The number, location and formation of vehicle crossings.
 - iii. Provision of a connected street network, with appropriate use of street hierarchy and design type, including the width, length, drainage and formation of access.
 - iv. The matters specified in Section 220 of the Act.
 - v. The size, shape and arrangement of allotments, in relation to road frontages, and location of proposed boundaries.
 - vi. The creation of appropriate easements.
 - vii. Payment of financial contributions including reserves contribution.
 - viii. Providing, forming, naming and signposting new roads.
 - ix. Preservation of existing vegetation.
 - x. Provision of open space including the retirement of steep land, gully systems, connections/links with other areas, esplanade reserves and strips, and local reserves.
 - xi. Suitability of proposed allotments for subsequent buildings and future use, including the separation of proposed building sites from high voltage electricity transmission lines.
 - xii. Impact of subdivision upon future management of natural areas and heritage places.
 - xiii. Requiring a consent notice to be placed on the titles of newly-subdivided allotments which have no further subdivision potential under this Plan, to alert potential purchasers to that fact.
 - xiv. Accordance with any relevant Structure Plan and adherence to the principles set out in the Subdivision Design Guide.
 - xv. Provision of a network of cycleways and walkways to the extent that these service the subdivision and connect with the surrounding environment.
 - xvi. Provision of buffers or other measure to delineate the boundary between urban and rural environments and provide separation between potentially incompatible activities.
 - xvii. The extent to which connections to electricity, gas and telecommunication networks are available to service the needs of the development and/or subdivision.

- xviii. Avoidance or mitigation of flood hazards, including the assessment of the level of flood hazard risk from the waterbody and what mitigation measures are required, such as setback distances, minimum floor levels or specified building platforms.

1.3.3 Reservation of Control - Restricted Discretionary Activities

- A. In assessing applications for restricted discretionary activities **Council** has reserved its control over matters related to the effect of allowing noncompliance with the particular performance standard (or standards) which the proposal has failed to meet. Conditions may be imposed to avoid, remedy or mitigate the effects of non-compliance.
- B. In assessing applications which have become restricted discretionary activities due to non-compliance with the Plan's performance standards, but which otherwise would have been controlled activities, **Council** has also reserved its control over the matters in Rules A1 1.3.1 or 1.3.2 3 which relate to that type of controlled activity.
- C. ...
- D. In assessing applications for vehicle crossings onto **arterial routes** which do not meet the Plan's standards, **Council** will take into account:
 - i. Any adverse effect on the arterial route of the vehicle movements at any access or intersection.
 - ii. The availability of reasonably practical legal access to a road other than the State highway.
 - iii. Whether there is sufficient and appropriate off-road parking to meet the needs of the activity and avoid or minimise adverse effects on the safe and efficient operation of the arterial route.
 - iv. The extent of non-compliance with the Plan standard concerned.
- E. ...
- M. In assessing applications for subdivisions within any of the Growth Precincts that do not comply with the stormwater neutrality standard (Rule C2 2.1.1 E or C2 2.3.3), Council has restricted its discretion to:
 - i. The extent of post development run-off generated by the development;
 - ii. The measures used to avoid, remedy and mitigate stormwater runoff from entering the overall Feilding stormwater network;
 - iii. The availability of stormwater detention areas or conveyance opportunities on surrounding land.
- N...

1.3.4 Assessment of Discretionary Activity Applications

- A. In assessing discretionary activities Council will have regard to matters including the following:
 - i. Subject to Part II of the Act, the matters specified in Section 104 of the Act.
 - ii. Compliance or otherwise with standards applying to similar permitted or controlled activities.
 - iii. The environmental results sought by this Plan for the zones concerned.

- iv. Any potential detraction from the **amenities** of the area through odour, smoke, noise, or other noxiousness whether from the operation itself or any ancillary aspect.
- v. The degree to which proposed buildings would detract from the visual amenities of the area.
- vi. Parking needs will be assessed against staff numbers, likely numbers of patrons and their mode of travel. Regard will be had to how often it is used, the availability of on-street parking, and the impact of using on-street parking upon other users of the road.
- vii. Vehicle crossings shall be assessed in terms of the sight distance and driveway spacing guidelines contained in Appendix 2C, and the seal widening and formation standards contained in Appendix 2E.
- viii. Whether there is sufficient and adequate provision for the collection or disposal of solid waste, including tailings.
- ix. The degree to which any waste treatment ponds are adequately separated from other activities, taking into account topography, type of waste to be treated, wind direction, tree planting and existing vegetation and the location and number of existing and future dwellings likely to be affected by such ponds.
- x. Compliance or otherwise with any relevant NZ Standards, regulations or Industry Guidelines.
- xi. Any danger to people from hazardous goods and natural hazards, including any risk assessments, contingency plans and proposals to mitigate such hazards.
- xii. The potential possibility of any animals escaping on to adjoining properties, roads, or public places.
- xiii. Whether any exterior lighting is to be used or installed which would tend to annoy people nearby.
- xiv. The effect of the proposal on the heritage values and preservation of any place or object listed in Appendices 1A to 1F or upon the heritage significance of any natural area in terms of the criteria in Appendix 1I .
- xv. ...
- xvi. Any detrimental effect of the proposal upon the operation or future development of any other existing permitted use in the vicinity. This includes whether the proposal requires a level of amenity which is incompatible with the operation and management of any such permitted use.
- xvii. Any potential adverse effects of the proposal upon the life supporting capacity of soils, or upon options for their future use, due for example to compaction, fragmentation of ownership, soil removal, coverage or risk of contamination.
- xviii. ...
- xix. The degree of separation proposed between any **building** or pen housing animals and any building, boundary or road. Council may increase or relax the separation distance where on the grounds of public health, amenity, intensity of use, odour, visibility, noxiousness or other reasons it is appropriate to do so.

The separation distances proposed by the Pork Industry Board's Code of Practice shall be used as a guideline for assessing the adequacy of separation around any proposed pig farming operation.

- xx. In relation to **service stations**:
 - a. The extent to which the proposal will be screened from adjacent residential uses by landscaping or fencing.
 - b. The effect of any access points on traffic safety and efficiency.
 - c. The extent to which lighting will be managed to avoid nuisance on residential properties.
 - d. Whether vehicle parking and manoeuvring can be accommodated on site.
 - e. The extent to which **signs** comply with general controls in the zone concerned.
 - f. The adequacy of proposals to collect and deal with potentially contaminated stormwater.
 - g. The extent to which the proposal is likely to have an effect on the amenities sought by the objective for the zone concerned. ...
- xxi. In relation to **utilities**:
 - a. Whether the proposed utility can be sited next to or share an existing utility site in order to minimise its effects.
 - b. Whether the proposed location, site or route is better than the alternative locations, site or routes.
 - c. Whether the proposed facility will affect the performance of other **utilities** nearby.
 - d. The potential effect of the facility on the health and safety of nearby residents.
 - e. The benefits of the facility to the community. ...
- xxii. In relation to relocated buildings:
 - a. The design and appearance of the building, and its compatibility with other buildings nearby and the neighbourhood generally.
 - b. The need for structural repairs to the building, including borer treatment.
 - c. The bulk and location of the building in relation to the usual requirements for the zone.
 - d. Work associated with the reinstatement of the building. Unless **Council** dispenses otherwise, such work shall be completed within six months from the date of the issue of a building consent. **Council** will require a cash bond, which is sufficient to cover the cost of the works involved in bringing the exterior appearance of the building up to standard, to ensure that this work is done.
 - e. The precise location of relocated heritage buildings within their new site and the retention of any architectural features or other important part of the building's fittings.