

Appendix 3: New District Plan Structure Explanation

MANAWATU DISTRICT COUNCIL - 2ND GENERATION DISTRICT PLAN

Table of Contents

Part 1 – Reviewed

Cover Page
Public Information - Statutory Acknowledgements of the Crown
Chapter 1 – Introduction
Chapter 2 – Definitions
Chapter 3 – District-wide Rules
Chapter 4 – Historic Heritage
Chapter 9 - Designations
Chapter 10 – Business Zones
Chapter 16 – Industrial Zone

1 main Contents Page will be added to front of the plan.

Part 2 – Not Yet Reviewed (1st Generation District Plan)

Plan Strategy

Section 2 - Significant Resource Management Issues Facing The District
Section 4 – Managing Land Use Effects
Section 5 – Subdivision
Section 6 – Esplanade Management
Section 7 – Financial Contributions
Section 8 – Natural Hazards
Section 9 – Energy and Water Use and Air Quality
Section 10 – Utilities
Section 11 – Cross Boundary Issues

District Rules – Rule A

District Rules – Rule B

Zoning Standards – Rule B; B1 Residential Zone, B2 Village Zone, B3 Rural Zones
Rule B4 – Business Zone
Rule B6 – Recreation Zone
Rule B7 – Flood Channel Zones
Rule B8 – Manfeild Park Zone
Rule B9 – Special Development Zone

District Rules – Rule C

Rule C1 – Status of Subdivision
Rule C2 – Zone Standards – Subdivision
Rule C3 – Esplanade Management

District Rules – Rule D – Financial Contributions

Appendices

Appendix 1 – Heritage Places
Appendix 1A - Wetlands, Lakes, Rivers and their Margins
Appendix 1B – Significant Areas of Indigenous Forest/Vegetation (Excluding Reserves)
Appendix 1C – Outstanding Natural Features
Appendix 1D – Trees with Heritage Value
Appendix 1E – Buildings and Objects with Heritage Value
Appendix 1F – Sites with Heritage Value
Appendix 1I – Criteria for Assessing the Significance of Natural Areas
Appendix 1J – Clearance of Indigenous Vegetation
Appendix 2 – Parking/Roading
Appendix 3 – Airports/Noise/Pig Farming
Appendix 5 – Rural Subdivision Nodes
Appendix 6 – Land Subject to Inundation
Appendix 7B – Ohakea Height Control
Appendix 8 – Manfeild Park and Special Development Zones
Appendix 9 – Structure Plans Growth Precincts
Appendix 10 – Subdivision Design Guide
Schedule 1 – Statutory Acknowledgements

The Plan has been organised into a Part 1 and Part 2.

Part 1 – Reviewed: All content that has been reviewed, and notified as part of a Plan Change.

Part 2 – Not Yet Reviewed (1st Generation District Plan): All content that is yet to be reviewed. Once reviewed, content will move into Part 1. 'Sections' will become 'Chapters'.

7. FINANCIAL CONTRIBUTIONS

7.1 INTRODUCTION

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

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

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

7.2 OBJECTIVES

Objectives

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

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

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

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

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

Explanation

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

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

Objectives will be removed from grey boxes

Main heading will be deep green

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7.2 Objectives

Sub-section headings will be blue or aqua blue

Objectives

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 - FC 3) To use financial contributions to mitigate the adverse effects of development or subdivision on the environment.
- (Issues 5 and 10) (Refer also: Objectives S 4 (5.3.4), S 8 (5.3.8) and U 1 (10.1)).*

PAGE
1

Explanation

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

Explanation

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

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

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

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

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

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

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

District Plan Methods

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

Other Methods

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

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District Plan Methods

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

New style of cross-referencing to District Rules, e.g. (Refer Rule B7 7.4) now (Refer Rule B7.4). Cross-referencing to page numbers has been removed to future-proof the text.

Section 7 – Financial Contributions

PAGE 5

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3 DISTRICT WIDE RULES

3.1 Introduction

This chapter contains provisions that apply in the Manawatu District relating to:

- Network utilities
- Transport
- Noise
- **Earthworks**
- Signage
- **Temporary activities**
- **Relocated buildings**

Terms included in the Definitions chapter will be bolded throughout the plan

This chapter is intended to be read in conjunction with the relevant zoning provisions. Where specific rules are included in the relevant zoning rules, then those rules apply (unless otherwise referenced in this chapter).

PAGE
1

Sub-section numbering – District Rules - e.g. 6.1 Permitted Activities will now be B6.1 Permitted Activities.

6.1 PERMITTED ACTIVITIES	B6.1	Permitted Activities
6.1.1 List of Activities	B6.1.1	List of Activities

SECTION 7 – FINANCIAL CONTRIBUTIONS

Each Section or Chapter will include its own contents page

7	FINANCIAL CONTRIBUTIONS _____	1
7.1	Introduction _____	1
7.2	Objectives _____	1
7.3	Utility Services _____	2
7.4	Roads and Streets _____	4
7.5	Reserves Provision _____	6
7.6	Environmental Results Anticipated _____	8
7.7	Monitoring and Review Procedures – Financial Contributions _____	8