

**Chapter 39****ASSESSMENT CRITERIA  
(Rural Environments)****39.1 INTRODUCTION**

Some non-complying activity, discretionary activity and restricted discretionary rules refer to assessment criteria to assist the Council in considering resource consent applications. The Council will have regard to the Assessment Criteria outlined below for the rural environments when considering an application under Sections 104 and 105 of the Act.

**39.2 GENERAL**

The following criteria will be used by the Council in considering a resource consent application for a Non-Complying Activity, a Discretionary Activity, or a Restricted Discretionary Activity for non-compliance with one or more conditions in the relevant activity table and/or condition table.

- a) Any unusual circumstances including, but not limited to, those listed below:
  - i) Inherent site considerations: including unusual size, shape, topography, substratum, vegetation or flood susceptibility;
  - ii) Particular site development characteristics: including the location of existing buildings or their internal layout, achievement of architectural harmony, compliance with engineering or bylaw standards, enhancement of private open space, achievement of a better relationship between the site and the road, building renovation or restoration of demonstrable merit, the design and arrangement to facilitate access for the disabled, or legal impediments;
  - iii) Unusual environmental circumstances: including adverse topography, unusual use or location of buildings on adjacent sites, improved amenity for neighbouring sites, the presence of effective on-site screening.

**39.3 ASSESSMENT CRITERIA FOR PARTICULAR LAND USES****1. Residential Care Facilities, Retirement Complexes, Travellers' Accommodation, Day Care Centres and Education Facilities.**

The Council will have regard to the relevant objectives and Policies of this Plan and in addition will consider:

*Intensity of Land use*

- a) Whether the land use will contribute to the efficient use and/or development of natural and physical resources within the City and whether any alternative sites, locations or zones have been considered.
- b) Whether the land use provides any positive effects to the surrounding environment and wider community, including the extent to which the land use may enhance amenity values of the area.
- c) Whether the impact of the scale and intensity of the use is compatible with surrounding land uses.

- d) Whether the land use will have any adverse effects on outstanding natural features significant landscapes, rural character and amenity of the surrounding area.

The Council will have particular regard to the potential for visual and noise impacts and may require the provision of landscaping and other mitigation measures over and above those required by the rules within the rural environments.

- e) Whether there are any effects of a low probability, but high potential impact.
- f) Whether the establishment and operation of the land use would adversely effect the amenity of the rural or rural settlement or Jervoistown areas, or result in significant social or economic impacts.
- g) Whether the establishment and operation of the land use would adversely effect the efficient use and/or development of natural and physical resources of any other zone or result in significant social or economic impacts.
- h) Whether the land use's hours of operation would adversely affect the amenity, health, safety and wellbeing of surrounding land uses and residents.
- i) Whether the volume of traffic likely to be attracted to the site is likely to cause an effect on the neighbouring people and environment including the road network and traffic safety and efficiency.
- j) Whether the site is a suitable size for the type and number of persons being catered or cared for.
- k) Whether the proposed land use will have an adverse effect on any cultural values or heritage values of the area.
- l) Whether the land use will contribute to the social and economic well being of the community, including for the purposes of diversifying land uses complementing primary production such as agricultural, horticultural and/or viticultural activities.

#### *Design and External Appearance*

- m) Whether the design of buildings, structures and carparking areas maintains streetscape qualities, including whether paved areas associated with manoeuvring or parking dominate the streetscape.
- n) Whether parking and storage areas are adequately screened from adjacent sites, public places and roads by fencing and/or landscaping.

#### *Site Layout*

- o) Whether buildings and structures including outdoor entertainment, recreation and play areas are sited in a way that minimises any adverse effects on the visual and aural privacy of adjacent land uses, public places and roads.

#### *Vehicle Parking and Access*

- p) Whether provision is made for the safe and efficient circulation of vehicles through the site where necessary.
- q) Whether the proposal will avoid on-road congestion, including vehicle parking, as a result of the ingress and egress of vehicles to and from the site.

- r) Whether the land use will adversely effect vehicular and pedestrian safety and the efficiency of the road network where any access is directly onto a state highway or an arterial road.
- s) Whether adequate sight distances are available for vehicular and pedestrian safety.

The Council will pay particular attention to the adequacy of accessways when the facility is located on a rear site, as well as to the location of entry and exit points to the site, and their relationship with existing intersections, site constraints and adjacent dwelling units. The Council will require adverse effects to be avoided, remedied or mitigated by controlling access to the road or site, by redesign of the access or roadway, or by traffic signals and the like. Sites adjacent to local roads may be unsuitable for some land uses.

#### *Noise Mitigation Measures*

- t) Whether noise arising from the land use, including the congregation of people or movement and parking of vehicles, will have an adverse effect on the amenity of the surrounding environment.
- u) The Council will require noise mitigation measures to be undertaken to protect the aural amenity of adjacent land uses and residential areas.

#### *Odour and Dust Mitigation*

- v) Whether the land use will create any dust or odour effects that will adversely impact upon the amenity of surrounding land uses.

#### *Infrastructure*

- w) Whether the land use can avoid, remedy or mitigate any adverse effects it may have on infrastructural services, as guided by the Essential Services Development Reports 2000.

Where the existing infrastructure cannot sustain new development, the proposal must provide a satisfactory alternative or level of mitigation. This may be in the form of financial contributions.

#### *Air Traffic Safety*

- x) Whether the proposed land use will have an adverse actual or potential effect on safety, efficiency and operations, (including landings and take-offs) of the Hawke's Bay Airport.

#### *Cumulative Effect*

- y) Whether the proposed land use will have an adverse cumulative effect on the surrounding area.

In assessing the appropriateness of allowing a land use to be located in an area, or an increase in the scale and intensity of a land use, consideration will be given to the presence of land uses already located in the area and on the site, and their effect on the surrounding residential environment. Of particular concern is the cumulative adverse effect of locating a land use on a site adjacent to or already accommodating land uses that may currently generate traffic, noise and other adverse effects not in keeping with the surrounding residential area.

## 2. Feedlots, Factory Farming, Landfills, Mining and Quarrying.

The Council will have regard to the relevant objectives and Policies of this Plan and in addition will consider:

### *Scale and Intensity of Land use*

- a) Whether the land use provides any positive effects to the surrounding environment and wider community, including the extent to which the land use may enhance amenity values of the area.
- b) Whether the impact of the scale and intensity of the use is compatible with surrounding land uses.
- c) Whether the land use will have any adverse effects on outstanding natural features, significant landscapes, rural character and amenity of the surrounding area.

The Council will have particular regard to the potential for visual, noise, odour dust and vibration impacts and may require the provision of landscaping and other mitigation measures over and above those required by the rules within the rural environments. The Council may also require a monetary bond for security in respect of landfills, mining and quarrying activities. Furthermore, the Council may require applicants for mining and quarrying activities to provide a restoration plan in relation to the proposed works.

- d) Whether there are any effects of a low probability, but high potential impact.
- e) Whether the establishment and operation of the land use would adversely effect the amenity of rural environment, or result in significant social or economic impacts.
- f) Whether the establishment and operation of the land use would adversely effect the efficient use and/or development of natural and physical resources of any other zone or result in significant social or economic impacts.
- g) Whether the hours of operation of the landfill, mining or quarrying activity would adversely affect the amenity, health, safety and wellbeing of surrounding land uses and residents.
- h) Whether the volume of traffic likely to be attracted to the site is likely to cause any adverse effect on the neighbouring people and environment including the road network and traffic safety and efficiency.
- i) Whether the proposed land use will have an adverse effect on any cultural values or heritage values of the area.

### *Design and External Appearance*

- j) Whether vehicle parking and storage areas are adequately screened from adjacent properties by fencing and/or landscaping.

## **SITE LAYOUT**

- k) Whether buildings and structures including vehicle parking and storage areas are sited in a way that minimises any adverse effects on the visual and aural amenity of adjacent land uses, public open space and roads.

*Carparking and Access*

- l) Whether provision is made for the safe and efficient circulation of vehicles through the site where necessary.
- m) Whether the proposal will avoid on-road congestion, including vehicle parking, as a result of the ingress and egress of vehicles to and from the site.
- n) Whether the land use will adverse effects on vehicular and pedestrian safety and the efficiency of the road network where any access is directly onto a state highway or an arterial road.
- o) Whether adequate sight distances are available for vehicular and pedestrian safety.

The Council will pay particular attention to the adequacy of accessways when the facility is located on a rear site, as well as to the location of entry and exit points to the site, and their relationship with existing intersections, site constraints and adjacent land uses. The Council may require adverse effects to be avoided, remedied or mitigated by controlling access to the road or site, by redesign of the access or roadway, or by the installation of traffic signals and the like. Sites adjacent to local roads may be unsuitable for some land uses.

*Noise Mitigation Measures*

- p) Whether noise arising from the land use, including the keeping of animals and movement of vehicles will have an adverse effect on the amenity of the surrounding environment.

The Council may require noise mitigation measures to be undertaken to protect the aural amenity of adjacent land uses and residential areas.

*Odour and Dust Mitigation*

- q) Whether the land use will create any dust or odour effects that will adversely impact upon the amenity of surrounding land uses.

*Infrastructure*

- r) Whether adequate provision is made for the disposal of waste and effluent.
- s) Whether the land use can avoid, remedy or mitigate any adverse effects that it may have on infrastructural services.

Where the existing infrastructure cannot sustain new development, the proposal must provide a satisfactory alternative or level of mitigation. This may be in the form of financial contributions.

*Conservation Values*

- t) Whether the land use will have any adverse actual or potential effects on the conservation values of surrounding land.
- u) Whether the landfill, mining or quarrying activity will have an adverse actual or potential effect on any nearby open drain, watercourse or any other waterbody.

*Air Traffic Safety*

- v) Whether the proposed land use will have an adverse actual or potential effect on the

safety, efficiency and operations (including landings and take-offs) of the Hawke's Bay Airport.

#### *Cumulative Effect*

- w) Whether the land use will have an adverse cumulative effect on the surrounding area.

In assessing the appropriateness of allowing a land use to be located in an area or an increase in the scale and intensity of a land use, consideration will be given to the presence of land uses already located in the area and on the site, and their effect on the surrounding environment. Of particular concern is the cumulative effect of locating a land use on a site adjacent to or already accommodating land uses that may currently generate traffic, noise and other effects not in keeping with the surrounding rural environment.

### **3. All other land uses.**

The Council will have regard to the relevant objectives and Policies of this Plan and in addition will consider:

#### *Scale and Intensity of Land use*

- a) Whether the land use will contribute to the efficient use and/or development of natural and physical resources within the City and whether any alternative sites, locations or zones have been considered.
- b) Whether the land use provides any positive effects to the surrounding environment and wider community, including the extent to which the land use may enhance amenity values of the area.
- c) Whether the impact of the scale and intensity of the use is compatible with surrounding land uses.
- d) Whether the land use will have any adverse effects on outstanding natural features, significant landscapes, rural character and amenity of the surrounding area.

The Council will have particular regard to the potential for visual and noise impacts and may require the provision of landscaping and other mitigation measures over and above those required by the rules within the rural environments.

- e) Whether there are any effects of a low probability, but high potential impact.
- f) Whether the establishment and operation of the land use would adversely effect the amenity of the rural or rural settlement or Jervoistown areas, or result in significant social or economic impacts.
- g) Whether the establishment and operation of the land use would adversely effect the efficient use and/or development of natural and physical resources of any other zone or result in significant social or economic impacts.
- h) Whether the land use's hours of operation would adversely affect the amenity, health, safety and wellbeing of surrounding land uses and residents.
- i) Whether the volume of traffic likely to be attracted to the site is likely to cause an effect on the neighbouring people and environment including the road network and traffic safety and efficiency.
- j) Whether the proposed land use will have an adverse effect on any cultural values or

heritage values of the area.

- k) Whether the land use will contribute to the social and economic well being of the community, including for the purposes of diversifying land uses complementing primary production such as agricultural, horticultural and/or viticultural activities.

#### *Design and External Appearance*

- l) Whether the design of buildings, structures and vehicle parking areas maintains or enhances streetscape qualities, including whether paved areas associated with vehicle manoeuvring or parking dominate the streetscape.
- m) Whether parking and storage areas are adequately screened from adjacent properties by fencing and/or landscaping.

#### *Site Layout*

- n) Whether buildings, structures and outdoor entertainment areas, including parking and storage areas are sited in a way that minimises any adverse effects on the visual and aural amenity of adjacent land uses, public open space and roads.

#### *Vehicle Parking and Access*

- o) Whether provision is made for the safe and efficient circulation of vehicles through the site where necessary.
- p) Whether the land use will avoid on-road congestion, including vehicle parking, as a result of the ingress and egress of vehicles to and from the site.
- q) Whether the land use will adversely effect vehicular and pedestrian safety and the efficiency of the road network where any access is directly onto a state highway or an arterial road.
- r) Whether adequate sight distances are available for vehicular and pedestrian safety.

The Council will pay particular attention to the adequacy of accessways when the facility is located on a rear site, as well as to the location of entry and exit points to the site, and their relationship with existing intersections, site constraints and adjacent land uses. The Council may require adverse effects to be avoided, remedied or mitigated by controlling access to the road or site, by redesign of the access or roadway, or by the installation of traffic signals and the like. Sites adjacent to local roads may be unsuitable for some land uses.

#### *Noise Mitigation Measures*

- s) Whether noise arising from the land use, including the congregation of people and movement of vehicles will have an adverse effect on the amenity of the surrounding environment.

The Council may require noise mitigation measures to be undertaken to protect the aural amenity of adjacent land uses and residential areas.

#### *Odour and Dust Mitigation*

- t) Whether the land use will create any dust or odour effects that will adversely impact upon the amenity of surrounding land uses.

#### *Infrastructure*

- u) Whether adequate provision is made for the disposal of waste and effluent.
- v) Whether the land use can avoid, remedy or mitigate any adverse effects that it may have on infrastructural services.

Where the existing infrastructure cannot sustain new development, the proposal must provide a satisfactory alternative or level of mitigation. This may be in the form of financial contributions.

#### *Conservation Values*

- w) Whether the land use will have any adverse actual or potential effects on the conservation values of surrounding land.
- x) Whether the land use will have any adverse effect, including any cumulative effect on the Estuary and other water bodies.
- y) Whether there are any actual or potential positive or adverse effects on flora and fauna, including their habitats.

#### *Air Traffic Safety*

- z) Whether the proposed land use will have an adverse actual or potential effect on the safety, efficiency and operations (including landings and take-offs) of the Hawke's Bay Airport.

#### *Reverse Sensitivities*

- aa) The location of the site in relation to the Airport and the Airport Noise Boundary and the likely exposure to airport noise.
- ab) Whether the location of the site and likely exposure to airport noise will lead to an unreasonable level of amenity for future occupiers.
- ac) Whether in the circumstances, (including the number of people to be accommodated), the nature, size and scale of the development is such that it is likely to lead to potential conflict with, and adverse effects on, airport activities.

In assessing the appropriateness of allowing a subdivision and/or land use in the Rural Environments consideration will be given to whether the proposed activity might in some way constrain the way in which the Airport operates. Of particular concern is the establishment of activities that may over time demand increasingly higher levels of amenity and where such expectations may unduly restrict accepted management practices of normal airport operations.

#### *Cumulative Effect*

- ad) Whether the land use will have an adverse cumulative effect on the surrounding area.

In assessing the appropriateness of allowing a land use to be located in an area or an increase in the scale and intensity of a land use, consideration will be given to the presence of land uses already located in the area and on the site, and their effect on the surrounding environment. Of particular concern is the cumulative effect of locating a land use on a site adjacent to or already accommodating land uses that may currently generate traffic, noise and other effects not in keeping with the surrounding rural environment.