
15. INDUSTRIAL ZONE

15.1 ZONE INTRODUCTION

15.1.1 Within the Opotiki district there are two identifiable industrial zones, both of these have emerged as a result of past concentrations of industrial activities. One area is located to the south of Wellington Street West, and the other located around the State Highway 2 intersection with Stoney Creek Road and Factory Road. As industrial activities have the potential to adversely affect the amenity values of nearby areas, grouping the activities together in a Zone is an effective mechanism to mitigate the potential adverse effects of industrial activities.

15.1.2 The Industrial Zone has amenity values that require management and control. Activities locate within industrial zones, because of the effects generated, would not otherwise be appropriate in other zones of the district. Industrial areas are characterised by high noise levels, high levels of glare and lightspill, high incidence of heavy transport movement, and a diversity of activity.

15.1.4 Characteristics that contribute to the character of the zone are:

- Higher noise levels at varying times of the day and night, than in surrounding areas.
- Safe and visible transportation networks.
- Yards used for the storage of materials and machinery.
- Moderate degree of signage.
- Limited pedestrian activity.
- Limited areas of public open space.
- Large buildings, where storage areas are screened.
- Location of noxious industries.
- On-site areas for the loading and unloading of vehicles.
- High visitation to the zone from heavy vehicles and hazardous substance transporters.
- Bunded or sealed sites where hazardous substances are used.
- On-street and off-street parking facilities.
- Yard separation of industrial activities from adjoining non-industrial activities.
- Mixture of various land use activities ranging from commercial, retail and wholesale to predominantly industrial activities.

15.2 RESOURCE MANAGEMENT STRATEGY

15.2.1 *Resource management issues*

1. There is a potential for adverse effects from activities undertaken within the Zone to depreciate the amenity values of the Zone. These adverse effects include higher noise levels, generation of dust, grit, and odour effects, lightspill and glare, and visitation to the sites from higher numbers of heavy transport vehicles.
2. Retail activities are commonly associated with industrial activities and need to be provided for in the Zone.
3. Parts of the industrial areas of the Opotiki town may be adversely affected by flooding which may compromise the health and safety of people in adjoining residential areas and the quality of the Industrial Zone environment. The effects of activities such as earthworks, may compromise the capacity of ponding areas.
4. The location of hazardous substance use, storage, or disposal facilities within areas susceptible to natural hazards can have significant adverse effects on the quality of the environment.
5. Activities located within the Zone use substances that have the potential to contaminate the site, stormwater draining from the site, and adjoining natural and physical resources.
6. To protect the amenity values of adjoining zones there is a need to screen storage and service areas, particularly those where refuse is awaiting collection.
7. Inadequate provision made for site manoeuvrability can affect transport networks within and adjoining the Zone.

15.2.2 *Objectives and policies*

Objective 1. **Areas of the district that function effectively as Industrial Zones where the adverse effects of activities undertaken within the Zone are managed, and do not conflict with the amenity values of adjoining zones.**

- Policies**
- 1.1 Enable industry to establish in the Industrial Zone without undue constraint so that the adverse effects from their activities can be managed to facilitate compliance with the Zone Standards.
 - 1.2 Control the location of retail activities within the Zone to ensure that the qualities and characteristics of the Zone are maintained.
 - 1.3 Ensure that there is adequate on-site parking and manoeuvring space for vehicles using sites within the Industrial Zone.
 - 1.4 Manage the effects of activities within the Zone that use, store, or dispose of hazardous substances.
 - 1.5 Manage activities that wish to locate in flood prone areas so that the effects of hazards can be mitigated by protection measures such as stopbanks, minimum floor levels, or design.

	1.6	Ensure that any effects of activities within the Industrial Zone do not adversely affect the efficient functioning and capacity of ponding areas.
Objective	2.	Activities undertaken within the Zone done so in manner that avoids, remedies, or mitigates their adverse effects on the receiving environment.
Policies	2.1	Maintenance of sites within the Industrial Zone at a level that will not detract from the character of the Zone, including requiring service and storage areas to be screened from non-industrial properties.
	2.2	The mitigation or avoidance of potential adverse effects such as noise, litter, glare, and traffic movements, on the site, on adjoining sites, with the Industrial Zone, and in adjoining zones.

15.2.3 *Methods of implementation*

The objectives and policies of this section will be implemented by the following methods:

1. Rules
2. Other methods

15.3 RULES

The following rules provide for permitted activities, controlled activities, discretionary activities and non-complying activities within the Industrial Zone.

15.3.1 *Permitted activities*

Subject to compliance with the Zone Standards in Section 15.4, the following activities may be established in the Industrial Zone, without a resource consent.

1. Buildings and activities accessory to a permitted activity.
2. Industries.
3. Retail activities accessory to a permitted or controlled activity where the total floor area related to retailing is the lesser of either 100m² or 20% of the total floor area.
4. Maintenance work carried out by Bay of Plenty Regional Council on established drainage and flood control scheme works.
5. Conservation planting and management, weed and pest removal, replanting and rehabilitation of indigenous vegetation.
6. Activities on reserves as provided for in the Reserves Act 1977 or an approved Reserve Management Plan.

7. Temporary buildings and activities required for a building or construction project of not more than 12 months duration.
8. Signs, as stated in **15.4.6 SG1**.
9. Activities stated in **3.3.1** Section 3 Landscapes and Habitats.
10. Activities stated in **4.3.1** Section 4 Heritage.
11. Activities stated in **6.3.1** Section 6 Surface of Water Activities.
12. Activities stated in **7.3.1** Section 7 Natural Hazards.
13. Activities stated in **8.3.1** Section 8 Hazardous Substances.
14. Activities stated in **9.3.1** Section 9 Network Utilities.
15. Any activity that is not listed in the Plan and which complies with the zone standards shall be deemed a permitted activity and does not require a resource consent.
16. Sawmilling and timber processing.
17. Removal of residential dwellings that comply with the Building Act 2004 requirements, and Council's engineering standards.
18. Temporary Military Training Activity.
19. The relocation of a building or dwelling, where the following criteria are able to be met:
 - (i) Zone standards of the District Plan.
 - (ii) The building or dwelling was constructed after 1970.
 - (iii) Reinstatement works shall be undertaken within six months of the relocation or occupation (whichever is the sooner).

15.3.2 *Controlled activities*

The following activities may be established after a land use consent has been granted by Council.

1. Buildings and activities accessory to a controlled activity.
2. Food selling premises.
3. Places of assembly.
4. Temporary buildings and activities not listed as a permitted activity, provided that where the site access is to a State highway, the written comments of Transit NZ will be required, and will need to be submitted as part of any application lodged.
5. Signs, as stated in **15.4.6 SG1**.
6. Subdivision as stated in **15.5.1**.
7. Activities stated in **3.3.2** Section 3 Landscapes and Habitats.
8. Activities stated in **4.3.2** Section 4 Heritage.
9. Activities stated in **6.3.2** Section 6 Surface of Water Activities.
10. Activities stated in **7.3.2** Section 7 Natural Hazards.
11. Activities stated in **8.3.2** Section 8 Hazardous Substances.
12. Relocation of a building or dwelling that either:

-
- (a) Does not comply with the specified time period for reinstatement work as stated in rule 15.3.1.19 (iii); or
 - (b) Does not comply with the age restriction stated in rule 15.3.1.19 (ii), provided that the application for consent includes a report from a suitably qualified person, being a qualified architect or structural engineer with adequate experience, which report concludes that the building or dwelling is sanitary and has structural integrity.

The Council has reserved control over the following matters.

15.3.2.1 Design and appearance

- i. The design and appearance of the activity and how it relates to the amenity values of the surrounding areas, including as relevant height, bulk, colour, materials, and proposed landscaping treatment.
- ii. The visual effect of any activity in relation to its location, site boundaries, and topography.
- iii. The size and location of buildings with regard to the activities on the site and the effect on neighbouring properties.
- iv. The manner in which the site is to be landscaped and how effectively it will screen the activities or enhance the amenity values of the area.
- v. The location and appearance of any signage associated with the activity.

15.3.2.2 Effects of the activity on adjoining sites

- i. The size and location of buildings with regard to the activities on the site and the effect on neighbouring properties.
- ii. Any measures to be implemented to mitigate the effects from the activity, such as visual effects, odour, noise, and lightspill.

15.3.2.3 Vehicle access and manoeuvrability

- i. The design and location of vehicular access, on-site manoeuvrability, and whether vehicles can leave and enter the site safely.
- ii. The need for carparking, service lanes, and loading and unloading activities associated with the activity.

15.3.2.4 Historical, archaeological and cultural resources

- i. The effect of the design and layout of the activities in relation to land, buildings, features and water bodies which have historical and archaeological worth
- ii. The effects of the activity on resources of importance to Maori.
- iii. The effects of the activity on heritage and conservation values, both on the site and on adjoining sites.

15.3.2.5 *Natural hazards*

- i. The extent to which the activity may accentuate the adverse effects of natural hazards.
- ii. The susceptibility of the site to natural hazards and the measures implemented to mitigate the effects of natural hazards.
- iii. The effects of the activity on the Duke Street ponding areas.

15.3.2.6 *Hazardous substances*

- i. The type and volume of the hazardous substances to be used or stored on the site.
- ii. The spill containment system proposed for the activity.
- iii. The proposed drainage system for the activity site.
- iv. The degree of risk of spillage and the potential adverse effects of spillage both on and off the site.

15.3.2.7 *Treatment of wastes produced on the site*

- i. The programme for the treatment of any effluent and waste from the activity, including:
 - a. A description of the composition of the effluent and waste.
 - b. Whether the waste is to be treated on-site, or whether the activity will connect to Council's waste treatment networks.
 - c. Treatment options for the waste.
 - d. Preferred treatment option to be implemented.
 - e. A description of the management of the effects from the waste produced by the activity.

Council may impose conditions on a resource consent for a controlled activity only in relation to the matters stated above.

15.3.3 *Discretionary activities*

The following activities may be established after a land use consent has been granted by Council. Activities must comply with the Zone Standards stated in Section 15.4. The Council may grant or refuse a resource consent for a discretionary activity.

1. Vehicle and machinery sales.
2. Education facilities.
3. Temporary activities where the site access is to a State Highway, and here the written consent of Transit New Zealand has not been obtained.
4. Signs, as stated in 15.4.6 SG1.
5. Subdivision as stated in 15.3.2.

6. Activities stated in **3.3.3** Section 3 Landscapes and Habitats.
7. Activities stated in **4.3.3** Section 4 Heritage.
8. Activities stated in **6.3.3** Section 6 Surface of Water Activities.
9. Activities stated in **7.3.3** Section 7 Natural Hazards.
10. Activities stated in **8.3.3** Section 8 Hazardous Substances.
11. Activities stated in **9.3.3** Section 9 Network Utilities.

15.3.4 *Non-complying activities*

Any activity not specifically stated as a permitted activity, controlled activity, or discretionary activity, and which does not comply with the Zone Standards, shall be a non-complying activity and is allowed only if a resource consent is obtained.

15.4 ZONE STANDARDS

These Zone Standards apply to all permitted activities, controlled activities, and discretionary activities and will be used as guidelines when assessing applications for non-complying activities.

15.4.1 SITE REQUIREMENTS

SR1 *Site coverage*

No limit, subject to compliance with Zone Standards 15.4.2 YA1, 15.4.2 YA2, and 15.4.5 PA1.

SR2 *Height*

The maximum height of structures within the Zone is 12m (refer to **Section 9** Network Utilities).

SR3 *Daylight protection*

No part of any building shall penetrate a daylight recession plane of 45° from a height of 2.7m above finished ground level at any boundary with a Rural, Residential, or Mixed Activity Zone (refer to **Section 9** Network Utilities).

15.4.2 YARDS

YA1 *Separation from adjoining properties*

7.5m from a boundary with the Residential, Rural, Mixed Activity Zone.

YA2 *Building setbacks from roads*

All buildings shall be set back at least 4.5m from the road boundary where the land opposite is not zoned Industrial.

15.4.3 LANDSCAPING

LA1 *Screening of storage areas*

Any area used for storage shall be screened from a public place, other than a service lane, and from a Residential, Mixed Activity Zone, or Rural Zone boundary.

LA2 *Visibility at intersections*

To protect sight distances at the intersection of roads, the area within 6m of the intersection of two front boundaries, shall be kept clear of any obstruction over 1m in height. This restriction shall not apply to power poles or street lights.

LA3 *Screening and landscaping adjoining State Highways*

Any non-residential activity that fronts onto State Highway 2 or State Highway 35 shall undertake landscaping along the frontage of the site boundary that adjoins the highway.

15.4.4 NOISE AND GLARE

NG1 All activities on a site shall be designed and conducted so as to ensure that the following noise limits are not exceeded at any point within the boundary of any other Industrial Zone or Mixed Activity Zone site:

Monday to Friday	7.00 am to 10.00 pm	55 dBA (L 10)
Saturday	7.00 am to 8.00 pm	55 dBA (L10)
At all other times including Sundays and Public Holidays		45 dBA (L10)
On any day between 10.00 pm and 7.00 am on the following day		65 dBA (L max)

Provided that the noise level as measured within the boundary of any adjacent Residential Zone, Mixed Activity Zone, or Rural Zone site, shall not exceed the following limits:

Monday to Friday	7.00 am to 10.00 pm	50 dBA (L 10)
Saturday	9.00 am to 6.00 pm	50 dBA (L10)
At all other times including Sundays and Public Holidays		40 dBA (L10)
On any day between 10.00 pm and 7.00 am on the following day		70 dBA (L max)

Except where expressly provided elsewhere in this Plan, noise shall be measured in accordance with the provisions of NZS 6801:1991 Measurement of Sound, and assessed in accordance with the provisions of NZS 6802 : 1991 Assessment of Environmental Sound.

Construction noise in any zone shall not exceed the recommended limits and shall be measured and assessed in accordance with the provisions of NZS 6803P : 1984 The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work.

NG2 *Lighting and glare*

All exterior security lighting and floodlighting shall be designed, installed, and maintained so that light emitted does not overspill the boundaries with Residential, Mixed Activity or Rural Zones, or cause distraction or glare which could affect traffic safety on adjacent roads.

15.4.5 **PARKING AND ACCESS**

PA1 *Parking and loading*

Carparking and provision for loading shall be provided in relation to every activity whether new, reconstructed, extended or where the use is changed, as follows:

1. On site carparking shall be as follows:

Industries	1 space per 50m ² total floor area
Accessory retail activities	1 space per 20m ² total floor area
Commercial services	1 space per 40m ² total floor area
Food selling premises	1 space per 20m ² total floor area
Service industries	1 space per 50m ² total floor area
Contractor's depots	1 space per 50m ² total floor area
Residential dwelling	1 space per dwelling
Places of assembly	1 space per 5 persons accommodated
Education facilities	2 spaces for visitors plus adequate and reasonable provision for cars and buses to drop off and pick up students and
Preschool	1 space per staff member
Primary	2 spaces per 3 staff members
Secondary	1 space per 20 students
Tertiary	1 space per 20 students
Police stations	1 space per 50m ² gross floor area
Periodic detention	One space for every 2 full time equivalent employees and one space for every 10 detainees.
Probation centres	One space for every 2 full time equivalent employees and one space for every 10 detainees.
2. The dimensions and design standards are set out in **Appendix 5**.
3. Provision shall be made for the loading and unloading of service vehicles on-site, and at the rear of sites, in such a way that no footpath or access to adjoining properties is blocked.
4. Parking for disabled persons shall be provided in compliance with the Disabled Persons Welfare Act 1975 and NZ Standard specification 4121, or any subsequent legislation. In particular, one disabled

car parking space shall be provided for each group of 50 car parking spaces up to 200 spaces, in a location as close as practicable to the building.

5. No vehicle access shall be located within 15m of an intersection.

15.4.6 SIGNS

SG1 *Signs*

1. Signs meeting the following standards are permitted activities in this Zone, subject to the written consent of Transit NZ where the site adjoins a State highway.
 - (i) Temporary signs with an area of less than 1.8m², where the written consent of the landowner has been obtained.
 - (ii) Traffic signs, or signs denoting the name of the street, number of the premises or the location or timetable or other details of any public utility or facility.
 - (iii) Signs with a maximum aggregate area: 0.5m² for each 1m of building frontage or site frontage, whichever is the lesser.
 - (iv) Two free-standing pole-mounted signs on a site where the frontage of a building is set back more than 5m from a road boundary, provided that each sign does not exceed 5m in height and 4m² in area.

2. Signs meeting the following standards are controlled activities in the Zone, subject to the written consent of Transit New Zealand where the site adjoins a State highway:
 - (i) A sign not exceeding 1.1m² in area for any public purposes or in connection with and on the same site as any of the following activities.
 - Recreation reserves
 - Churches and other places of assembly
 - Educational institutions
 - Hospitals and community buildings
 - Travellers accommodation
 - (ii) Signs not exceeding 1.1m² erected in connection with tourist or special information, or denoting places or points of special interest.

3. Signs meeting the following standards are discretionary activities in this Zone:
 - (i) Signs not meeting the standards specified in 15.4.9 (1) or 15.4.9 (2).
 - (ii) Signs that are illuminated and visible from a State Highway.
 - (iii) Those signs stated as permitted or controlled activities where the approval of Transit New Zealand has not been obtained.

4. Signs meeting the following standards are discretionary activities in this zone.
 - (i) Signs not meeting the standards specified in 15.4.6 SG1 (1) or 15.4.6 SG1 (2).
 - (ii) Signs visible from a State Highway are discretionary activities where they are:

- (a) Illuminated signs, that are not a permitted activity, and flashing, animated, trivision, revolving lights or lasers, or aerial signs situated adjacent to a State Highway
- (b) Free standing signs situated within the boundaries of a State Highway with a speed limit of 50km/h or less.
- (c) Advance warning signs erected on a road.

15.4.7 HAZARDOUS SUBSTANCES

HS1 *Spillage Containment*

The site of any activity which uses or produces potentially contaminating or hazardous substances, shall be designed so that stormwater run-off shall be contained and disposed of in accordance with relevant Environment Bay of Plenty standards.

15.4.8 FLOOR LEVELS

FL1 Floor levels

The minimum floor level for residential, retail, commercial, industrial, and public buildings shall be 3.6 metres above Moturiki Datum. This shall not apply to carports, implement sheds, garden sheds, garages, or other uninhabited ancillary buildings.

15.5 SUBDIVISION

The following rules provide for controlled activities and discretionary activities in relation to subdivision within the Industrial Zone.

15.5.1 *Controlled Activities*

The following are controlled activities

1. Subdivisions which create lots suitable for permitted or controlled activities and which comply with the standards specified in Rule 15.5.3.1, 15.5.3.2 and 15.5.3.5.
2. Subdivisions complying with the boundary adjustment requirements specified in Rule 15.5.3.3.
3. Subdivisions which only create lots for public utilities, public works, reserves and public open space complying with Rule 15.5.3.4.

Where a subdivision is a controlled activity, Council may decline a resource consent application if the circumstances as set out in Section 106 of the Resource Management Act exist (e.g. material damage to land caused by erosion, slippages and inundation).

The matters over which Council will reserve control are stated in **10.3.2.**

15.5.2 *Discretionary Activities*

1. Subdivisions to create lots which do not comply with the standards specified in Rule 15.5.3.1 and 15.5.3.2.

15.5.3 *Subdivision Standards*

The following are the subdivision standards for the Industrial Zone.

15.5.3.1 Minimum lot size

The minimum lot size, exclusive of access, shall be:

Sewered sites	500m ²
Unsewered sites	800m ²

15.5.3.2 Lot dimensions

1. Frontage
The minimum frontage for any lot shall be 20m.
2. Depth
The minimum depth for any lot shall be 25m.

15.5.3.3 Boundary adjustment

The subdivision standards for the Zone will not apply to a subdivision for the adjustment or relocation of boundaries provided no new additional new allotments are created, and the subdivision provides for:

- i. The adjustment or relocation of boundaries which will leave the allotments with similar areas to that existing prior to subdivision; or
- ii. The adjustment or relocation of boundaries is more suitable for activities provided by the Zone, where it does not increase the degree of non-conformity of any existing lot or lots.

15.5.3.4 Lots for public utilities, public works, reserves and public open space

The minimum standards for the Zone shall not apply where lots are created for the following purposes:

1. Where land is required by a network utility operator.
2. Where land is required for a public work.
3. Where land is to be set aside or vested as a reserve.
4. Where land is to become a reserve vested in the Council.

15.5.3.5 General subdivision requirements

In addition to Rule 15.5 the general rules for all subdivision specified in **Section 10** shall be met.

15.6 OTHER METHODS

15.6.1 Other methods for achieving the objectives and policies of this section are:

1. Retailers and residents street beautification programmes through the use of landscaping and tree planting.
2. Information sharing and education through Bay of Plenty Regional Council and Council's association with industry.
3. Use of industry codes of practice to enable compliance with the rules of the Plan.
4. To make use of Land Information Memoranda (LIM) and Project Information Memoranda (PIM) to provide information on existing site contamination, potential site contamination, and on adjoining activities that make use of hazardous substances.
5. The use of Council's capital works programmes for street paving, street kerbing and channelling.
6. Using Land Information Memoranda to increase awareness of the need to obtain consents from Bay of Plenty Regional Council for discharges to air, land, and water.

15.7 EXPLANATION

15.7.1 The reasons for the foregoing objectives, policies, and methods are stated below.

15.7.2 The Industrial Zone provides for the effects of industrial activities based on the need to allow activities with similar requirements and effects to operate with minimum interference, except as required to maintain the quality of the natural and physical environment. Potential adverse effects on the environment include heat, dust, odours, and the discharge of pollutants which may detrimentally affect water, soil and air. The policies of this section provide guidance on how the adverse effects of activities within the Industrial Zone will be managed. The Industrial Zone, as with other zones has zone standards. The standards, or rules, ensure compliance with minimum standards. Compliance with these standards assists in maintaining the present quality of the environment.

15.7.3 The Industrial Zone interfaces with residential and rural zones. Amenity values of adjoining living environments may be adversely affected by noise, glare, dust, odours, traffic generation, particularly of heavy vehicles, hazardous substances, and unsightly buildings and open areas. These potential affects are addressed through rules in the Zone which relate specifically to building setbacks, control of glare, screening, and landscaping.

- 15.7.4 The objectives, policies and rules of the zone will ensure that the effects of activities undertaken within the zone will be managed so that the environment of the zone and neighbouring zones are maintained.
- 15.7.5 The distinction between some industrial and commercial activities is becoming blurred as trading patterns change. While the focus of the Zone is on the effects of the activities, the introduction of large commercial and retail activities can alter the qualities and characteristics of the zones predominantly industrial activity base.
- 15.7.6 Part of the industrial area is affected by the Duke Street ponding area which provides storage capacity in the event of high rainfall. Further development is therefore only permitted where the total capacity of the ponding area is not adversely affected.

15.8 **ANTICIPATED ENVIRONMENTAL OUTCOMES**

- 15.8.1 The environmental outcomes anticipated from the implementation of the objectives and policies of this section are:
- 4 An industrial area of the Opotiki township that accommodates a wide range of industrial activities.
 - 4 Conscientious management of activities within the Industrial Zone where adverse effects on neighbouring residences are minimised.