

Chapter 6

Industrial Zone



6. INDUSTRIAL ZONE

6.1 RESOURCE MANAGEMENT ISSUES

1. There is a potential for adverse effects from activities undertaken within the zone to reduce the **amenity** and productive **values** of the zone and also the adjacent rural land. These adverse effects include higher **noise levels**, generation of dust, grit, and odour effects, light spill and glare, and visitation to the **sites** from higher numbers of heavy transport vehicles.
2. Parts of the industrial areas of the Ōpōtiki 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.
3. The location of **hazardous substance** storage, use, or disposal facilities within areas susceptible to natural hazards can have significant adverse effects on the quality of the environment.
4. 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.
5. Industrial activities can give rise to adverse effects on the surrounding amenity, particularly when they are adjoining more sensitive zones such as a Rural, Residential or Mixed Use Zones within the District.
6. Inadequate provision made for **site** manoeuvrability can affect transport networks within and adjoining the zone.

6.2 OBJECTIVES AND POLICIES

OBJECTIVE

- 6.2.1 **Enable industrial activities where the adverse effects of activities undertaken within the zone are managed, and do not conflict with the amenity values of adjoining zones.**

POLICIES

- 6.2.1.1 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.
- 6.2.1.2 Control the location of retail activities within the zone to ensure that the qualities and characteristics of the zone are maintained and impacts on the Town Centre Zone are minimised.

- 6.2.1.3 Ensure that there is adequate on-site parking and manoeuvring space for vehicles using **sites** within the Industrial Zone.
- 6.2.1.4 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.
- 6.2.1.5 Ensure that any effects of activities within the Industrial Zone do not adversely affect the efficient functioning and capacity of ponding areas.
- 6.2.1.6 Industrial activities require **landscaping** and screening when adjoining Residential, Rural and Mixed Use Zones to protect the **amenity values** of those zones.

OBJECTIVE

- 6.2.2 **Activities undertaken within the zone do so in a manner that avoids, remedies, or mitigates their adverse effects on the receiving environment.**

POLICIES

- 6.2.2.1 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 adjoining zones.
- 6.2.2.2 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.

6.3 ACTIVITY STATUS

Resource consent is required for all Controlled, Restricted Discretionary, Discretionary and Non-complying Activities. Resource consent is not required for all Permitted Activities provided Zone Standards are met.

- 6.3.1 Additional controls apply in relation to the following activities. Refer to the Chapters identified:
- Activities on the Surface of the Water - refer Chapter 12
 - Landscapes and Habitats - refer Chapter 13
 - Heritage - refer Chapter 14
 - Subdivision - refer Chapter 15
 - Network Utilities - refer Chapter 17
 - Natural Hazards - refer Chapter 18

6.3.2 PERMITTED ACTIVITIES

6.3.2.1 Subject to compliance with the Zone Standards in Section 6.6, the following activities may be established in the Industrial Zone, without resource consent:

1. **Buildings** and activities **accessory** to a Permitted Activity.
2. Industries.
3. **Accessory retail activities** 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. Activities on reserves as provided for in the Reserves **Act** 1977 or an approved Reserve Management Plan.
6. **Temporary buildings** and activities required for a **building** or construction project of not more than 12 months duration.
7. **Signs** meeting the following standards:
 - (a) **Temporary signs** with an area of less than 1.8m², where the written consent of the landowner has been obtained.
 - (b) 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.
 - (c) **Signs** with a maximum aggregate area: 0.5m² for each 1m of **building** frontage or **site** frontage, whichever is the lesser.
 - (d) 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.
8. Any activity that is not listed in this **Chapter** and which complies with the Zone Standards.
9. **Sawmilling** and timber processing.
10. **Temporary Military Training Activities** complying with the noise controls in Appendix 3.
11. The relocation of a **building**.
12. Re-siting of a **building** within a **site**.

6.3.3 CONTROLLED ACTIVITIES

6.3.3.1 Subject to compliance with the Zone Standards in Section 6.6, the following activities may be established after Land Use Consent has been granted by **Council**:

1. **Buildings** and activities **accessory** to a Controlled Activity.
2. **Places of assembly**.

3. **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 the NZ Transport Agency will be required, and will need to be submitted as part of any application lodged.
4. 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.
 - (a) Recreation reserves.
 - (b) Churches and other **places of assembly**.
 - (c) **Educational facilities**.
 - (d) Hospitals and community **buildings**.
 - (e) **Visitor accommodation**.
5. **Signs** not exceeding 1.1m² erected in connection with tourist or special information, or denoting places or points of special interest.
6. Activities otherwise permitted or controlled where the **site access** is to a state highway and the written approval of NZ Transport Agency has been obtained, and is submitted as part of any application.

6.3.4 RESTRICTED DISCRETIONARY ACTIVITIES

6.3.4.1 The following activities may be established after Land Use Consent has been granted by **Council**. The **Council** may grant or refuse resource consent for a Restricted Discretionary Activity.

1. **Food selling premises**.
2. Relocation of a **building** or **dwelling** that does not comply with Zone Standards.
3. Activities not complying with 6.6.1.2 (*Height*), 6.6.1.3 (*Daylight protection*), 6.6.2.1 (*Yards*), and 6.6.2.2 (*Setback from roads*).
4. Activities not complying with Rules 6.6.8 (*Wastewater Connections*), 6.6.9 (*Stormwater Management*), and 6.6.10 (*Water Supply*)

6.3.5 DISCRETIONARY ACTIVITIES

6.3.5.1 The following activities may be established after Land Use Consent has been granted by **Council**. The **Council** may grant or refuse resource consent for a Discretionary Activity.

1. **Education facilities**.
2. Any activity involving **access** to or from the State Highway not provided for as a controlled activity.
3. **Signs** not provided for as a Permitted or Controlled Activity.

6.3.6 NON-COMPLYING ACTIVITIES

- 6.3.6.1 Any activity not specifically stated as a Permitted Activity, Controlled Activity, or Discretionary Activity, and unless otherwise stated, shall be a Non-complying Activity and is allowed only if resource consent is obtained.

6.4 ASSESSMENT CRITERIA FOR CONTROLLED ACTIVITIES

- 6.4.1 The **Council** has reserved control over the following matters:

6.4.1.1 Design and appearance

1. 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.
2. The visual effect of any activity in relation to its location, **site** boundaries, and topography.
3. The size and location of **buildings** with regard to the activities on the **site** and the effect on neighbouring properties.
4. 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.
5. The location and appearance of any **signs** associated with the activity.

6.4.1.2 Effects of the activity on adjoining sites

1. The size and location of **buildings** with regard to the activities on the **site** and the effect on neighbouring properties.
2. Any measures to be implemented to mitigate the effects from the activity, such as visual effects, odour, noise, and light spill.

6.4.1.3 Vehicle access and manoeuvrability

1. The design and location of vehicular **access**, on-site manoeuvrability, and whether vehicles can leave and enter the **site** safely.
2. The need for carparking, service lanes, and **loading spaces** associated with the activity.

6.4.1.4 Historical, archaeological and cultural resources

1. The effect of the design and layout of the activities in relation to land, **buildings**, features and **waterbodies** which have historical and archaeological worth.
2. The effects of the activity on resources of importance to Māori.
3. The effects of the activity on heritage and conservation values, both on the **site** and on adjoining **sites**.

6.4.1.5 Natural hazards

1. The extent to which the activity may accentuate the adverse effects of natural hazards.
2. The susceptibility of the **site** to natural hazards and the measures implemented to mitigate the effects of natural hazards.
3. The effects of the activity on the Duke Street ponding areas.

6.4.1.6 Treatment of wastes produced on the site

1. 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 resource consent for a Controlled Activity only in relation to the matters stated above.

6.5 ASSESSMENT CRITERIA FOR RESTRICTED DISCRETIONARY ACTIVITIES

6.5.1 The **Council** has reserved control over the following matters:

6.5.1.1 Relocation of a building or dwelling that cannot comply with Rule 6.4.7

1. Proposed **landscaping**, including opportunities to screen the **building** during reinstatement.
2. Visibility from the **road**, public places and other residential areas.
3. Maintenance of the **site** and surrounds during reinstatement.

6.5.1.2 Activities not complying with 6.6.1.2 (Height), 6.6.1.3 (Daylight protection), 6.6.2.1 (Yards), and 6.6.2.2 (Setback from roads)

1. Shadowing.
2. Physical domination.
3. Privacy.
4. Lighting.

6.5.1.3 Activities not complying with Rules 6.6.8 (Wastewater Connections), 6.6.9 (Stormwater Management), and 6.6.10 (Water Supply)

Wastewater connections

1. Mitigation of effects on existing infrastructure and the environment from:
 - i. Sewerage flow volumes.
 - ii. Sewerage flow rates.
 - iii. Sewerage flow timing.
 - iv. Sewerage connections and on-site reticulation/infrastructure specifications.
 - v. Practicality of connection to **Council's** existing infrastructure.

Stormwater connections

1. Mitigation of effects on existing infrastructure, adjacent/downstream properties and the environment:
 - (a) Stormwater runoff.
 - (b) Stormwater connections and on-site reticulation/infrastructure specifications.

Potable Water connections

1. Management of water supply demand:
 - (a) Water flow rates.
 - (b) Water flow volumes.
 - (c) Water supply connections specifications

.5.1.4 Activities not complying with Rule 6.6.2.3 (Building setback from Council pipelines)

1. The obstruction of **access** to existing wastewater, water supply or stormwater reticulation.

6.6 ZONE STANDARDS

These Zone Standards apply, unless otherwise stated, to all Permitted and Controlled Activities and will be used as guidelines when assessing applications for Discretionary and Non-complying Activities.

6.6.1 SITE REQUIREMENTS

6.6.1.1 Site coverage

No limit, subject to compliance with Zone Standards 6.6.2 (*Yards*) and 6.6.5 (*Parking*).

6.6.1.2 Height

The maximum **height** of **buildings** within the zone is 12m.

6.6.1.3 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.

6.6.2 YARDS

6.6.2.1 Separation from adjoining properties

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

6.6.2.2 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.

6.6.2.3 Building setbacks from Council pipelines

No **building** shall be located closer than the greater of either:

- (a) 1.5m from the centre of any public sewer or public stormwater line, or
- (b) The sum of depth to the centreline of the line, plus the diameter of the line, plus 0.2m from the centre of that line.

Non-compliance with this standard shall be assessed as a Restricted Discretionary Activity

6.6.3 LANDSCAPING

6.6.3.1 Screening of storage areas

All industrial activities must provide landscape planting and screening when adjoining a Rural, Residential or Mixed Use Zoned property, where the boundary is a **road**, the zone on the opposite side of that **road** shall apply.

6.6.3.2 Visibility at intersections

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

6.6.3.3 Screening and landscaping adjoining State Highways

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

6.6.4 NOISE AND GLARE

6.6.4.1 **Noise**

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 Industrial Zone **site**. Provided that at the boundary of a **site** within the Rural, Residential and Mixed Activity Zone the **noise limits** for the relevant Zone shall be complied with.

Noise Limits dB			
Receiving Zone	Daytime 7am to 10pm, Monday to Sunday including public holidays	Night time At all other times	
Industrial	75LAeq	70LAeq 80LAmx	

Except where expressly provided elsewhere in this Plan, noise shall be measured in accordance with the provisions of NZS 6801:2008 Measurement of Sound, and assessed in accordance with the provisions of NZS 6802:2008 Assessment of Environmental Noise.

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:1999 Construction Noise.

6.6.4.2 **Lighting and glare**

All exterior security lighting shall be designed, installed, and maintained so that the light emitted does not overspill **site** boundaries, or cause distraction or glare which could affect traffic safety on adjacent **roads**.

6.6.5 **PARKING AND LOADING**

6.6.5.1 On-site carparking and provision for **loading** shall be provided in relation to every activity whether new, 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 activity	1 space per 40m ² total floor area
Food selling premises	1 space per 20m ² total floor area

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Service industries	1 space per 50m ² total floor area
Contractors' depots	1 space per 50m ² total floor area
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 and Probation centres	1 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 1 – Carparking dimensions and calculations**.
3. Provision shall be made for **loading spaces** on-site, and at the rear of **sites**, in such a way that no footpath or **access** to adjoining properties is blocked.
4. No vehicle **access** shall be located within 15m of an intersection.

6.6.6 FLOOR LEVELS

6.6.6.1 Floor levels shall be sufficient to ensure that water does not enter **buildings** in a 2% AEP (Annual Exceedance Probability) event. Council holds information about flood levels within the Ōpōtiki urban area.

6.6.7 RELOCATION OF A DWELLING OR BUILDING

6.6.7.1 The relocation of a **building** or **dwelling** must comply with the following:

1. Any relocated **dwelling** must have been previously designed built and used as a **dwelling**;
2. A **building** inspection report shall accompany the **building** consent for the **building/dwelling**. The report is to identify all **reinstatement work** required to the exterior of the **building/dwelling**; and
3. The **building** shall be located on permanent foundations approved by **building** consent, no later than two months of the **building** being moved to the **site**.

4. All work required to reinstate the exterior of any relocated **building/dwelling**, including the siting of the **building/dwelling** on permanent foundations, shall be completed within 12 months of the **building** being delivered to the **site**.

Non-compliance with this Rule shall be considered as a Restricted Discretionary Activity.

6.6.8 WASTEWATER

6.6.8.1 Wastewater Connections

1. All new developments within any of **Council's** wastewater scheme boundaries shall connect to the **Council's** wastewater system.
2. All new wastewater management systems shall be designed and constructed in accordance with 17.4.2.

6.6.9 STORMWATER

6.6.9.1 Stormwater Management

1. A stormwater disposal system shall be provided for any residential, community or business activity. The stormwater management system shall be designed and constructed in accordance with Rule 17.4.3.

6.6.10 POTABLE WATER

6.6.10.1 Water Supply

1. A potable water supply shall be provided to each site and where connected to **Council's** water supply shall be designed and constructed in accordance with Rule 17.4.4.

6.6.11 VEHICLE ENTRANCE DESIGNS

- 6.6.11.1 Residential and commercial entrance designs shall comply with **Appendix 4**.

6.7 OTHER METHODS

6.7.1 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 **sites** 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.

6.8 EXPECTED ENVIRONMENTAL RESULTS

Environmental outcomes anticipated from the implementation of the objectives and policies of this section are:

- A. An industrial area of the Ōpōtiki Township that accommodates a wide range of industrial activities.
- B. Conscientious management of activities within the Industrial Zone where adverse effects on neighbouring residences are minimised.