

Chapter 7

Harbour Industrial Zone



7. HARBOUR INDUSTRIAL ZONE

7.1 RESOURCE MANAGEMENT ISSUES

1. There is a potential for adverse effects from activities undertaken within the zone to reduce the **amenity values** of the zone and also adjacent rural land. These adverse effects include higher **noise levels**, generation of dust, grit, and odour effects, light spill and glare, and higher numbers of heavy transport vehicles.
2. Retail activities ~~are provided~~ within the Harbour Industrial Zone ~~to service other users located in the zone, but need to be limited to avoid~~ have the potential to generate adverse effects on the Town Centre by detracting from its focus as the primary retail shopping area within Ōpōtiki (Sub 6.2).
3. Parts of the harbour industrial area of Ōpōtiki may be adversely affected by flooding, which may compromise the health and safety of people in adjoining areas and the quality of the Harbour Industrial Zone environment. The vehicle access to the State Highway is particularly vulnerable because it crosses an identified floodway. (Sub 6.3).
- ~~4. 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. Storage and servicing areas for the types of activities anticipated within the Harbour Industrial Zone can adversely affect the amenity values of adjoining zones if not appropriately located and screened. (Sub 6.4)~~
- ~~5.4. Inadequate provision made for site manoeuvrability~~ Activities can adversely affect the safety, sustainability and efficiency of the transport networks (Sub 12.18).
- ~~5.~~ The successful establishment of activities in the zone will be reliant on the development of a wharf and ongoing access to it.
- ~~6.~~ Activities can adversely affect the safe, sustainability and efficiency of the transport network (Sub 12.21)
- ~~7.~~ The integrity of the stopbank needs to be maintained to provide ongoing flood protection and this may include upgrades if necessary (Sub 17.120)
- ~~8.~~ Potential for increased threats to and adverse effects on indigenous species in adjacent wetland areas (8.26).
- ~~6-9.~~ The population and environment could be harmed from unwanted organisms such as flies, mites, ticks, mosquitoes (including exotic mosquitoes capable of carrying disease) or other insects which may cause a nuisance to health to neighbouring residents. (Sub 57.35)

7.2 OBJECTIVES AND POLICIES

OBJECTIVE

- 7.2.1 The infrastructure and operational needs of the aquaculture, fishing and marine industries are provided for as a matter of priority, while limiting the effects of those activities on landscape values, natural character and the environment.**

POLICIES

- 7.2.1.1 Enable aquaculture and marine related **industry** to establish in the Harbour Industrial Zone with appropriate controls so that the adverse effects from these activities and associated structures are managed to minimise (Sub 6.6) the effects of activities and structures on the receiving environments, including landscape.
- 7.2.1.2 Control the location and scale of **retail activity** within the zone to ensure that the qualities and characteristics of the zone are maintained.
- 7.2.1.3 Ensure the wharf area is maintained for active operation without **buildings** or other activities adversely affecting its efficient operation as primary port infrastructure.
- 7.2.1.4 Ensure that there is adequate on-site parking and manoeuvring space for vehicles using **sites** within the zone.
- 7.2.1.5 Ensure that any effects of activities within the Harbour Industrial Zone do not adversely affect the efficient functioning and capacity of stormwater ponding areas, and overland flow-paths.

- 7.2.1.6 Limit retail activities within the zone to those that primarily service other users located within the zone (Sub 6.2)

OBJECTIVE

- 7.2.2 The ~~limited land area available for zone activities should be reserved within the Harbour Development Zone is used (Sub 6.8)~~ principally for those activities that require harbour access or need to use that infrastructure to operate and support the aquaculture, fishing and marine industries.**

POLICIES

- 7.2.2.1 Provide for a range of Harbour Industrial Zone activities that rely on the proximity of the harbour margin and associated infrastructure, together with necessary complementary activities, and ensure that activities that do not require such a location are directed to other zones in the District.

OBJECTIVE

7.2.3 Activities within the zone are undertaken in a manner that avoids, remedies, or mitigates their adverse effects on the receiving environment.

POLICIES

7.2.3.1 Ensure that **sites** within the zone do not detract from the character of the adjacent area by such methods as requiring service and storage areas to be screened from non-harbour industrial properties and from the harbour.

7.2.3.2 Ensure that potential adverse effects such as noise, litter, glare, and traffic movements are mitigated or avoided.

7.2.3.3 Use buffer zones to mitigate potential adverse effects on sensitive ecological areas and the surrounding rural and harbour environments.

OBJECTIVE

7.2.4. Manage activities to ensure vehicle movement is undertaken in a safe and efficient manner that does not adversely affect the functioning of the transport network.

7.2.4.1 To avoid remedy or mitigate the adverse effects of the Harbour Industrial Zone activities on the safety and efficiency of the transport network.

OBJECTIVE

7.2.5 Activities in the zone require a functional need to locate in proximity to infrastructure located in the coastal environment

7.2.5.1 To recognise and provide for activities that need access to wharf and marine related services in the coastal environment. (Sub 7.2)

7.3 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.

7.3.1 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

7.3.2 PERMITTED ACTIVITIES

7.3.2.1 Subject to compliance with the Zone Standards in Section 7.5, the following activities may be established in the Harbour Industrial Zone, without resource consent:

1. **Buildings** and activities **accessory** to a Permitted Activity.
2. Seafood and marine product processing, packaging and storage factories.
3. **Port Activities.**
4. Wharf structures.
5. Ice manufacturing.
6. ~~Boat and marine~~ Marine equipment sales ~~yards.~~ (Sub 38.5)
7. Boat construction and engineering.
8. Boat maintenance, repair, refuelling (Sub 6.9) and servicing.
9. Boat lifting and storage facilities.
10. Boat ramp and trailer parking facilities.
11. **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**.
12. **Maintenance** work carried out by Bay of Plenty Regional Council on drainage and flood control scheme works.
13. **Maintenance** works on wharf structures, travel bay, and boat ramps.
14. Activities on reserves as provided for in the Reserves **Act** 1977 or an approved Reserve Management Plan.
15. **Temporary buildings** and **temporary activities** required for a **building** or construction project of not more than 12 months duration.
16. Signage located on **buildings** and free standing **signs** up to 4m² and 5m in **height**.
17. Signs visible from that State Highway that do not
 - a. Have reflective material or illumination that flashes or moves;
 - b. Obstruct or impair the view of any official traffic sign and signal, or limit the line of sight or any corner, bend, intersection or vehicle crossing
 - c. Physically obstruct or impede traffic or pedestrians
 - d. Resemble or be likely to be confused with any official traffic signs or signals and
 - e. Use support structures which are not frangible (Sub 12.9).
18. Temporary Military Training Activities that comply with Appendix 3 (Sub 19.25).
- ~~16-19.~~ Emergency services training and management activities (Sub 37.44)

7.3.3 CONTROLLED ACTIVITIES

7.3.3.1 Subject to compliance with the Zone Standards in Section 7.5, 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.~~ **Food selling premises** up to 100m² GFA.

~~2-3.~~ **Temporary Military Training Activities not complying with Appendix 3 (Sub 19.36).**

7.3.4 DISCRETIONARY ACTIVITIES

7.3.4.1 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 Discretionary Activity:

1. Activities not consistent with the Harbour Industrial Zone Structure Plan.

2. Industries not being otherwise listed as a Permitted, Controlled, ~~Restricted-Discretionary,~~ (Sub 8.36) or Non-complying Activity.

3. **Vehicle and machinery sales.**

4. Marine Education facilities.

5. **Signs** not provided for as a Permitted Activity.

6. Any Permitted Activity which does not comply with Zone Standards.

7.3.5 NON-COMPLYING ACTIVITIES

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

7.4 ~~ASSESSMENT CRITERIA FOR CONTROL RESERVED (Sub 17.7) LED~~ ACTIVITIES

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

7.4.1.1 Design and appearance

1. The design and appearance of the activity and how it relates to the **amenity values** of the surrounding areas, including 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 signage associated with the activity.

7.4.1.2 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.

7.4.1.3 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 and unloading activities associated with the activity.

7.4.1.4 Historical, archaeological and cultural values and 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 historic, archaeological and cultural values and(Sub 17.23) resources of importance to Māori.
3. The effects of the activity on heritage and conservation values, both on the **site** and on adjoining **sites**.

7.4.1.5 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.

7.4.1.6 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.

- (f) Pest control measures to prevent any additional threat to the adjoining **biodiversity** areas.
- (g) Sealed containment of organic waste.

7.4.1.7 *Indigenous biodiversity and ecological value*

1. The degree to which the activity will adversely affect the indigenous **biodiversity** and ecological values of Huntress Creek sub-estuary and saltmarsh area.
2. The degree to which the activity will adversely affect **habitats** of acutely and chronically threatened species and 'originally rare' **ecosystems**.
3. The degree to which the activity will adversely affect extent and condition of rare and threatened vegetation/**ecosystem** types.
4. The ability to require 'like for like' and 'no net loss' **biodiversity** offsets/compensation or other mitigation.
5. The ability to require an assessment of indigenous **biodiversity** effects by a suitably qualified person.

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

7.5 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. These standards shall not apply to Temporary Military Training Activities (Sub 19.20)

7.5.1 SITE REQUIREMENTS

7.5.1.1 Structure Plan

All activities shall be **sited** to be in general accordance with the Harbour Industrial Zone Structure Plan. No **buildings**, structures or hard surfaces shall be located within the ecological buffer areas. The ecological buffer area shall be 25m in width (Sub 6.10).

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

7.5.1.2 Site coverage

No limit, subject to compliance with Zone Standards 7.5.2.1 and 7.5.2.2.

7.5.1.3 **Height**

1. The maximum **height** of **buildings** within the zone shall be 15m. Provided that where there is no wharf adjacent to **MHWS**, the maximum **height** of **buildings** within 30m of **MHWS** shall be 9m.
2. Notwithstanding the definitions of **height** and **buildings**, aerials, lift towers, lighting poles, cranes, derricks, cargo stacking and lifting devices, conveyors, machinery rooms and flag poles are exempt from this Rule.

7.5.1.4 **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 property in the Coastal Zone.

7.5.2 **YARDS**

7.5.2.1 **Separation from adjoining properties**

All **buildings** shall be set back a minimum of 7.5m from a boundary with the Coastal Zone.

7.5.2.2 **Building setbacks from roads**

All **buildings** shall be set back a minimum of 4.5m from the **road** boundary where the land opposite is not zoned Industrial.

7.5.3 **LANDSCAPING**

7.5.3.1 **Screening of storage areas**

Any area used for outdoor storage shall be screened from a public place other than a service lane, and from a ~~Rural~~ Coastal (Sub 6.15) Zone boundary and the Harbour.

7.5.3.2 **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.

7.5.3.3 **Screening of industrial activities from non-Harbour Industrial Zone sites**

Where a site is adjoining a non-harbour industrial zone site a screened buffer must be provided.

This could be in the form of a shelter belt (Sub8.40).

7.5.4 NOISE AND GLARE

7.5.4.2 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 a Harbour Industrial zone site. Provided that at the **notional boundary** of a **site** within the Coastal or Rural 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	
Harbour Industrial Zone	75LAeq	70LAeq 80LAmx	

Except where expressly provided elsewhere in this Plan, noise shall be measured in accordance with the provisions of NZS 6801:2008 Acoustics - Measurement of Sound, and assessed in accordance with the provisions of NZS 6802:2008 Assessment Acoustics - of Environmental Sound-Noise (Sub 57.72).

Construction noise in any zone shall not exceed the recommended limits and shall be measured and assessed in accordance with the provisions of NZS 6803:1999 The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work-Acoustics - Construction Noise (Sub 8.42).

7.5.4.3 Lighting and glare

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

7.5.4.4 Reflectivity

The exterior surfaces (including the roof) of any building shall have reflectivity values of between 0% and 37% (Sub 8.39)

7.5.5 PARKING AND ACCESS

7.5.5.1 Parking and loading

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
Service industries	1 space per 50m ² total floor area
Contractor's depots	1 space per 50m ² total floor area
Tertiary	1 space per 20 students

2. The dimensions and design standards are set out in **Appendix 1**.

3. Provision shall be made for the **loading spaces** on-site, and at the **rear of sites**, in such a way that no footpath or **access** to adjoining properties is blocked.

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

7.5.6 VEHICLE ENTRANCES ~~DESIGNS~~

~~7.5.6.1 Commercial vehicle entrance designs shall comply with **Appendix 4**. Industrial and commercial vehicle entrances shall be provided and designs shall comply with Appendix 4 (Sub 6.16).~~

7.5.7 FLOOR LEVELS

7.5.7.1 Floor levels shall be sufficient to ensure that water does not enter **buildings** in a 1% AEP (annual exceedance probability) event. ~~— Ōpōtiki District Council will determine the appropriate freeboard that needs to be added to the flood level to set the required minimum floor level. (Sub 17.33).~~

7.6 OTHER METHODS

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

1. Information sharing and education through Bay of Plenty Regional Council and **Council's** association with **industry**.
2. Use of **industry** codes of practice to enable compliance with the Rules of The Plan.
3. 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**.

4. The use of **Council's** capital works programmes for street paving, street kerbing and channelling.
5. Using (Sub17.53) 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.

7.7 EXPECTED ENVIRONMENTAL RESULTS

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

- A. A harbour industrial area of the Ōpōtiki Township that accommodates a wide range of activities that efficiently support the aquaculture and fishing industries.
- B. Conscientious management of activities within the Harbour Industrial Zone where adverse effects on adjoining and nearby properties are minimised.

7.7 APPENDIX

7.7.1 HARBOUR INDUSTRIAL ZONE STRUCTURE PLAN

