

17.4 INDUSTRIAL ZONE RULES

Refer to Policy sets 5.1, 5.5, 6.5, 6.7, 9.1, 9.3, 11.1, 11.2, 13.1, 14.4.

17.4.1 Scope of Section

This section deals with land uses in the Heavy Industrial Zone and the Light Industrial Zone. Rules apply to each zone unless otherwise stated. Subdivisions are dealt with in Chapter 16.3. Information required with resource consent applications is detailed in Chapter 19.

Advice Note: The Resource Management (National Environmental Standard for Freshwater) Regulations 2020 may apply to some activities, including farming activities and activities in or near wetlands and rivers. The National Environmental Standard may alter the activity status of an activity and impose additional standards, information requirements, matters for assessment and criteria. Please ensure you have met any requirements in the regulations in addition to those in this plan. NES-FW (ca) 12/20

17.4.2 Land Use**17.4.2.1 Permitted Activities (Land Use)**

Any land use is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

Particular Activities

(a) If the location of the activity is within the area that is subject to Schedule 17.4A (as shown on the planning maps), the activity is permitted by Rule 17.5.2.1 or 17.5.4.1. C79 11/24

(aa) The activity is not one of the following:

- (i) a residential activity;
- (ii) a community activity (except in the Light Industrial Zone location at Beach Road as shown on the planning maps); C10 10/07 Op 3/14
- (iii) motor vehicle repairs or dismantling or sheet-metal work, on sites adjoining or across a road from a Residential Zone;
- (iv) a constructed or marked out landing area or pad for helicopters, an aircraft landing strip, aerodrome or airport.

(b) Retail sales are limited to:

- (i) goods produced on, or ancillary to, the industrial use of the site (maximum retail area 100 square metres); or
- (ii) goods of sufficient bulk to require outdoor storage such as landscape materials, machinery, or vehicles; or
- (iii) takeaway food bars.

(c) On Lot 1 DP 18856, located on parts of 67, 69 and 71 Ellis Street, Brightwater permitted activities are limited to those listed under condition 17.4.2.1(b)(i), (ii) and (iii), plus indoor storage of goods.

Screening

(d) Outdoor storage areas are screened where directly exposed to immediately adjoining sites zoned Residential (except those across a road) by a wall or close-boarded fence at least 1.8 metres high.

Air Emissions – Dust and Odour

- (e) There shall be no noxious, dangerous, offensive or objectionable odour or dust to the extent that it causes an adverse effect at or beyond the boundary of the site. C68 7/18
Op 6/19
- (f) Open areas of land and stockpiles of loose material are contained or maintained so that dust does not cause an adverse effect at, or beyond, the boundary of the site. C68 7/18
Op 6/19

Glare

- (g) Exterior lighting is directed away from adjacent residential properties and public places.
- (h) All metal cladding, roofing or fences are painted or otherwise coated with a non-reflective finish.

Amenity Plantings

- (i) Amenity plantings 2 metres wide are provided along all site boundaries with formed roads and sites adjoining a Residential Zone and the Seaton Valley Stream. Amenity plantings consist of species that, at maturity, provide a solid screen up to a height of at least 2 metres; except for telecommunication and radio-communication facilities less than 10 square metres in area and less than 3 metres in height, and masts and poles and their antennas and mounting structures less than 10 metres in height. C10 10/07
Op 3/14
C22 2/11
Op 1/15
- (j) In the Richmond West Development Area, all amenity plantings located within or 20 metres from the centreline of the electricity transmission lines as shown on the planning maps are designed to ensure:
- (i) access to support structures is retained; and
- (ii) the mature height of the vegetation maintains at least a 4-metre vertical and an 8-metre horizontal separation from all conductors. C10 10/07
Op 3/14
- (k) Except in the Light Industrial Zone location at Beach Road as shown on the planning maps, fences, including security fences, along site boundaries that adjoin roads, reserves and the Open Space Zone, are set back behind the width of amenity plantings and are no higher than 1.8 metres. C22 2/11
Op 1/15

Noise

- (l) Except as specified in condition (n), in the Light Industrial and Heavy Industrial zones, noise generated by the activity, measured at or within the boundary of any site within the Light Industrial Zone, other than the site from where the noise is generated, or at or within the boundary of any site within the Central Business, Commercial or Rural Industrial zones, does not exceed:
- | | Day | Night |
|-----------|--------|--------|
| L_{eq} | 65 dBA | 55 dBA |
| L_{max} | | 85 dBA |
- C10 10/07
Op 3/14
C19 5/10
Op 8/12
- (m) Except as specified in condition (n), in the Light Industrial and Heavy Industrial zones, noise generated by the activity measured at or within the boundary of any site within a Residential or Tourist Services Zone, or at or within the notional boundary of any dwelling in the Rural, Rural Residential or Papakainga Zone, does not exceed:
- | | Day | Night |
|-----------|--------|--------|
| L_{eq} | 55 dBA | 40 dBA |
| L_{max} | | 70 dBA |
- C19 5/10 Op 8/12

N.B. Day = 7.00 am to 9.00 pm, Monday to Friday, inclusive of 7.00 am to 6.00 pm Saturday (but excluding public holidays).

Night = All other times, including public holidays.

Noise must be measured and assessed in accordance with the provisions of NZS 6801:2008 *Acoustics - Measurement of Environmental Sound* and NZS 6802:2008 *Acoustics - Environmental Noise*. C19 5/10
Op 8/12

This rule also applies to that part of the Quarry Area in Lee Valley which is also Industrial Heavy Zone in and adjoining Record of Title 11A/542, and accordingly the provisions of condition 18.6.4.1(e) do not apply to that particular part of the Quarry Area.

(n) The following are exceptions to conditions (l) and (m): C19 5/10
Op 8/12

(i) In the Light Industrial Zone located on Part Section 18 and Part Sections 18A District of Takaka; Lot 4 District Plan 9734; Lot 1 District Plan 7173; Part Lot 1 District Plan 8754; and Part Lot 1 District Plan 11703 (68 Meihana Street, Takaka, occupied by Fonterra Ltd), noise measured at night does not exceed 45 dBA L_{eq} ; and 'Day' equals 7:00 am to 9:00 pm every day of the year;

(ii) In the Light Industrial Zone located on Lots 1 and 2 DP 12079, and Lot 2 DP 11787 (Poutama Street, Richmond), noise measured at night does not exceed 45dBA L_{eq} .

(iii) In the Light Industrial Zone located in the Richmond West Development Area (except in the Light Industrial Zone location at Beach Road as shown on the planning maps), noise generated by the activity, measured: C10 10/07
Op 3/14

(a) at or within the boundary of any site within the Light Industrial Zone, other than the site from where the noise is generated, does not exceed:

	Day	Night
L_{eq}	60 dBA	50 dBA
L_{max}		80 dBA

(b) at or within the notional boundary of any dwelling in the Rural 1 Zone, does not exceed:

	Day	Night
L_{eq}	55 dBA	40 dBA
L_{max}		70 dBA

(c) at or within the boundary of the Mixed Business Zone, does not exceed:

	Day	Night
L_{eq}	60 dBA	45 dBA
L_{max}		70 dBA

(d) at or within the boundary of the Residential Zone, does not exceed:

	Day	Night
L_{eq}	55 dBA	40 dBA
L_{max}		70 dBA

N.B. Day = 7.00 am to 9.00 pm, Monday to Sunday inclusive (including public holidays)

Night = All other times.

(iv) In the Light Industrial Zone located at Bird Lane, Wakefield, noise generated by the activity, measured at 20 metres from the zone boundary, within the Residential Zone, does not exceed: C58 11/15
Op 7/17

	Day	Night
L_{eq}	55 dBA	40dBA
L_{max}		70dBA

Noise must be measured and assessed in accordance with the provisions of NZS 6801:2008 *Acoustics - Measurement of Environmental Sound* and NZS 6802:2008 *Acoustics - Environmental Noise*.

- (o) For the areas of land located at 68 Meihana Street, Takaka (occupied by Fonterra Ltd), there must be at all times a current Noise Management Plan. The Noise Management Plan must specify the following:
- (i) aims and approach;
 - (ii) the noise rules in this Plan which apply to the site;
 - (iii) the approach to compliance monitoring;
 - (iv) a complaints procedure;
 - (v) the best practicable option methods for noise mitigation for site areas, activities, and/or processes;
 - (vi) equipment maintenance requirements;
 - (vii) any site layout provisions relating to noise mitigation;
 - (viii) new plant/equipment policy;
 - (ix) staff training;
 - (x) means of communication with local residents and the wider community;
 - (xi) methods for review.

The current Noise Management Plan must be certified by the relevant Site Manager and must be available at the Takaka office of the Tasman District Council for inspection by the Public at any time.

Stormwater

C7 7/07
Op 10/10

- (p) (i) EITHER
- All stormwater from buildings and impervious surfaces is discharged to a Council maintained stormwater drainage network that has the capacity to receive the additional stormwater.
- OR
- The discharge complies with section 36.4 of this Plan.
- AND
- (ii) All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network.

- (q) Except in the Light Industrial Zone location at Beach Road as shown on the planning maps, all stormwater from each site is collected and conveyed through a stormwater interceptor treatment device so that any sediment, hydrocarbon or floating debris that may be discharged is able to be substantially retained by such a device before there is any discharge to the Council-maintained stormwater drainage network.

C10 10/07
Op 3/14

Note: Design information for stormwater interceptor treatment devices and stormwater treatment and collection systems is provided in the current Council Engineering Standards and Policies.

Filling of Allotments

- (r) In the Richmond West Development Area, allotments below the 4.6 metre contour above mean sea level (datum reference: NVD55) are not filled, except to create a building platform area. This condition does not apply in the Light Industrial Zone location at Beach Road as shown on the planning maps.

17.4.2.1A Controlled Activities (Scheduled Location)

C79 11/24

Any land use that does not comply with permitted condition (a) of rule 17.4.2.1 is a controlled activity if it complies with the following conditions:

- (a) The activity complies with conditions (aa) to (r) of rule 17.4.2.1.
- (b) Mean Sea Level is lower than the Schedule 17.4A sea level rise trigger.
- (c) Any resource consent issued will expire 12 months after Mean Sea Level reaches or exceeds the Schedule 17.4A sea level rise trigger.

A resource consent is required and may include conditions on the following matters over which the Council has reserved control:

- (1) The removal of structures and materials associated with the activity from the site.
- (2) The restoration of the site
- (3) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).
- (4) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

17.4.2.2 Restricted Discretionary Activities (Land Use)C10 10/07
Op 3/14
C79 11/24

Any land use that does not comply with permitted condition (j) of rule 17.4.2.1, but does comply with all other conditions of that rule, is a restricted discretionary activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matter to which Council has restricted its discretion:

Amenity PlantingsC10 10/07
Op 3/14

- (1) In the Richmond West Development Area, the extent to which amenity plantings are designed so that adverse effects on the National Grid and public safety are appropriately avoided, remedied or mitigated.

17.4.2.3 Discretionary Activities (Land Use)

Any land use that does not comply with the conditions of rules 17.4.2.1, 17.4.2.1A and 17.4.2.2 is a discretionary activity, if it complies with the following conditions:

C10 10/07
Op 3/14
C79 11/24

- (a) The activity is not a residential activity other than a caretaker's residence on the same site as the caretaker works.
- (b) The activity is not motor vehicle repairs or dismantling or sheet-metal work, on sites adjoining or across a road from a Residential Zone.
- (c) The activity is not a community activity.

C10 10/07 Op 3/14

A resource consent is required and may include conditions.

17.4.2.4 Non-Complying Activities (Land Use)C10 10/07
Op 3/14

Any land use that does not comply with the conditions for a discretionary activity is a non-complying activity.

A resource consent is required. Consent may be refused or conditions imposed.

17.4.3 Building Construction or Alteration**17.4.3.1 Permitted Activities (Building Construction or Alteration)**

Construction or alteration of a building is a permitted activity that may be undertaken without a resource consent, if it complies with the following conditions:

(aa) The building is not on a site (as shown on the planning maps) that is subject to Schedule 17.4A. C79 11/24

(a) The building is not on any of the Specified Sites in the Light Industrial Zone at Brightwater (as shown on the planning maps). C57 11/15
Op 12/18

Item (b) deleted as part of Plan Change 73 C10 10/07
Op 3/14
C73
Op 6/23

Building Coverage

- (c) Maximum building coverage is 90 percent, except: C10 10/07
Op 3/14
- (i) in the Light Industrial Zone in the Motueka West and Richmond West development areas (other than in the Light Industrial Zone location at Beach Road as shown on the planning maps) and at Mapua C22 2/11
& C43 4/13
Op 1/15
- (ii) in the Heavy Industrial Zone in the Motueka West Development Area; C57 11/15
Op 12/18
- (iii) in the Light Industrial Zone at Brightwater.
- where the maximum building coverage is 75 percent.

Height

- (d) The maximum height of a building is:
- (i) 15 metres in the Light Industrial Zone other than on Lot 1 DP 6223 (Batchelor Ford Road) where the maximum height limit is 8 metres;
- (ii) 20 metres in the Heavy Industrial Zone;
- (iii) 7.5 metres on Lot 1 DP 18856 on parts of 67, 69 and 71 Ellis Street, Brightwater;
- except that:
- (a) for slimline, self-supporting masts and poles and attached infrastructure, condition 16.6.2.1(j) applies;
- (b) for antenna attached to a building, condition 16.6.2.1(k) applies;
- (c) any chimney or other equipment that is the best practicable option for the management of any emission to air, including dust, smoke and odour, may exceed this height, notwithstanding the meaning of "height" in the Plan;
- (d) at Motueka West Development Area, the building or structure does not exceed the height limits shown in Schedule 16.11A for Motueka Aerodrome. C43 4/13
Op 1/15

Walls

- (e) In the Richmond West Development Area (except in the Light Industrial Zone location at Beach Road as shown on the planning maps), an offset of at least 2.5 metres is required at intervals no greater than 25 metres along any wall that adjoins a road, a reserve, or Open Space or Residential zone, except that on Part Section 108 Waimea East District (Appleby Highway) adjoining the Residential boundary, the interval is no greater than 15 metres. C10 10/07
Op 3/14

No Dwellings

- (f) The building is not a dwelling.

Cross-boundary Effects

- (g) Goods service docks, open work bays and openable work bays do not face a Residential Zone, Open Space Zone, public place or public facility located on an adjoining site.
- (h) Sites are screened from adjoining land in any Residential Zone by a fence or wall 1.8 metres high along the entire boundary (except for any vehicle or pedestrian entrance on a road boundary). C10 10/07
Op 3/14

Glare

- (i) Metal cladding, roofing or fences are painted or otherwise coated with a non-reflective finish.

Building Envelope

- (j) Buildings on sites which adjoin a Residential Zone do not project beyond a building envelope constructed by daylight admission lines commencing from points 2.5 metres above ground level from all side and rear boundaries adjoining the Residential Zone. The angle is calculated according to the elevation calculator in Schedule 17.1A.

Setbacks

- (k) The building is set back from road boundaries at least: C10 10/07
Op 3/14
- (i) 3 metres in the Light Industrial Zone, except that in the Richmond West Development Area (other than in the Light Industrial Zone location at Beach Road as shown on the planning maps) buildings are set back at least 10 metres from roads, and in Motueka West Development Area buildings along the east side of Queen Victoria Street are set back at least 15 metres. C43 4/13
Op 1/15
- (ii) 10 metres in the Heavy Industrial Zone;
- except that telecommunication and radio-communication facilities less than 10 square metres in area and less than 3 metres in height are exempt from this requirement.
- Note:** Refer to 16.6.2.1(j)(ii) for applicable telecommunication and radio-communication facility setback requirements. C68 7/18
Op 6/19
- (ka) The building is not located within, or within 10 metres of, any indicative road or indicative reserve, except for the Light Industrial Zone where buildings are set back at least 10 metres from indicative roads and 5 metres from indicative reserves, except for the following: C73
Op 6/23
- (i) This condition does not apply once the road or reserve intended to be established by the indicative road or indicative reserve is shown on a Land Transfer Plan and a s224 certificate pursuant to section 224 of the Resource Management Act 1991 has been issued by Council for the subdivision concerned.
- (ii) No building setback is required under this condition on properties which do not have the indicative road or indicative reserve shown within that property's boundaries.
- (iii) No building setback is required in the Pohara area between Richmond Road and Falconer Road.
- (l) In the Light Industrial Zone, the building is set back from roads and zone boundaries at least: C10 10/07
Op 3/14
C73
Op 6/23
- Item (i) removed as part of plan change 73*

- | | | |
|-------|--|----------------------|
| (ii) | 20 metres from the boundaries of sites in an adjoining Rural 1 Zone, except adjoining Swamp Road where the setback is 15 metres and adjoining McShane Road, where the setback is 10 metres; | C10 10/07
Op 3/14 |
| (iii) | 10 metres from the Open Space Zone. | |
| (m) | In the Richmond West Development Area, notwithstanding the exemption in condition (k) relating to telecommunication and radio-communication facilities, the building is set back at least 20 metres from the centreline of any electricity transmission line as shown on the planning maps. | |
| (n) | In the Heavy Industrial Zone, buildings are set back 10 metres from any boundary of a public reserve and from any adjoining Residential Zone, and at least 15 metres from Queen Victoria Street in the Motueka West Development Area. | C43 4/13
Op 1/15 |
| (o) | The building is set back at least: <ul style="list-style-type: none"> (i) 8 metres from the top of the bank of any river with a bed less than 5 metres in width; (ii) 20 metres from the top of the bank of any river with a bed between 5 and 20 metres in width. | |
| (p) | Except in the Light Industrial Zone location at Beach Road as shown on the planning maps, fences, including security fences, along site boundaries that adjoin roads, reserves, and the Open Space Zone, are set back behind the width of amenity plantings and are no higher than 1.8 metres. | C10 10/07
Op 3/14 |

Wastewater Disposal

- (q) All buildings (other than accessory buildings) which generate wastewater are connected to a reticulated wastewater system where the service is available.

Stormwater

- | | | |
|-----|--|----------------------|
| (r) | <ul style="list-style-type: none"> (i) EITHER All stormwater from buildings and impervious surfaces is discharged to a Council maintained stormwater drainage network that has the capacity to receive the additional stormwater. OR The discharge complies with section 36.4 of this Plan. <p>AND</p> <ul style="list-style-type: none"> (ii) All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network. | C7 7/07
Op 10/10 |
| (s) | <p>Except in the Light Industrial Zone location at Beach Road as shown on the planning maps, all stormwater from each site is collected and conveyed through a stormwater interceptor treatment device so that any sediment, hydrocarbon or floating debris that may be discharged is able to be substantially retained by such a device before there is any discharge to the Council-maintained stormwater drainage network.</p> <p>Note: Design information for stormwater interceptor treatment devices and stormwater treatment and collection systems is provided in the current Council Engineering Standards and Policies.</p> | C10 10/07
Op 3/14 |

Landscaping

- | | | |
|-----|--|----------------------|
| (t) | <p>Except in the Light Industrial Zone location at Beach Road as shown on the planning maps, the site is landscaped comprising:</p> <ul style="list-style-type: none"> (i) amenity planting required in carparking areas in rule 16.2.2.4; (ii) amenity planting required by conditions 16.3.4.1(q), (r) and (s); (iii) amenity planting at least 2.5 metres wide along the frontage of any site, except where required in condition 16.3.4.1(q); | C10 10/07
Op 3/14 |
|-----|--|----------------------|

- (iv) additional amenity planting so that the total planting is at least 10 percent of the site area.
- (u) Amenity plantings are maintained and replaced where dead, damaged or diseased.

17.4.3.2 Controlled Activities (Building Construction or Alteration - Light Industrial Zone at Brightwater: Specified Sites)

C19 5/10
Op 8/12C57 11/15
Op 12/18

For the area of the Light Industrial zone in Brightwater contained within Part Section 2, Waimea South District, being the land contained in Record of Title 65/68 12C/239 or on those parts of Lots 4 and 5 DP 18856 (Spencer Place, Brightwater), any construction or alteration of a building is a controlled activity, if it complies with the following conditions:

- (a) The maximum height of a building is 8 metres; and
- (b) The building coverage is not extended on the site.

A resource consent is required and may include conditions on the following matters over which the Council has reserved control:

- (1) The location and size of building. C57 11/15 Op 12/18
- (2) The location of mounding, landscaping, ponding areas and flood flow paths.
- (3) The duration of the consent and the timing of reviews of condition and purpose of reviews.
- (4) Financial contributions, bonds and covenants in respect of the performance of conditions.

17.4.3.3 Restricted Discretionary Activities (Building Construction or Alteration)

Construction or alteration of a building that does not comply with the conditions of rules 17.4.3.1, 17.4.3.2(a) or 17.4.3.3A is a restricted discretionary activity. However, this rule shall not apply to the construction or alternation of a building in a location that is subject to Schedule 17.4A.

C19 5/10 Op 8/12
C57 11/15 Op 12/18
C79 11/24

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

Building Coverage

- (1) The effect on the amenity and character of the local environment of reducing open space and increasing the amount of building over a site.
- (2) The extent to which site development will be able to comply with other requirements for setback, landscaping, parking, vehicle manoeuvring, access and loading provisions.
- (3) The necessity for the increased building coverage in order to undertake the proposed activities on the site. Any increased flood hazard or flood hazard risk will be a consideration at Brightwater, including:
 - (a) protection for flood flow paths during a 1 percent Annual Exceedance Probability flood event;
 - (b) the effects of a 1 percent Annual Exceedance Probability flood event are mitigated so the building is not subject to inundation; and
 - (c) the effects any proposed development has on the flood hazard within the site and beyond the site boundaries.C57 11/15
Op 12/18
- (4) The degree to which any reduction in open space can be mitigated by building design and appearance, or landscaping.

Setback from Roads

- (5) The extent to which reduced setback will affect compliance with parking, loading and access rules.

- (6) The design and appearance of the building and its visual impact from the street or adjoining properties.
- (7) The necessity for a reduced setback to enable more efficient or practical use of a site.
- (8) The degree to which a reduced setback will affect the coherence of adjoining site development in terms of appearance, layout and scale, and the openness and visual amenity of the street when viewed from adjoining properties.
- (9) The potential for the privacy of adjoining residential sites to be affected from buildings built at a reduced setback.
- (10) The potential for any landscaping to mitigate any increased visual impact created from a reduced setback.

Setback from a Residential Zone or Public Reserve

- (11) The extent of the visual impact of the building from the adjoining residential site and its impact on the amenity and character of the residential environment or reserve, taking into account its design and appearance, bulk and length of walls.
- (12) The extent of any shading created and the impact this may have on any outdoor living spaces or main living areas within a dwelling or on the public enjoyment of a reserve.
- (13) The potential for the development to affect the privacy of the residents or users of the reserve.
- (14) The potential to mitigate any adverse effects created through alternative layouts of buildings, car parking and storage areas on site.
- (15) The potential for the development to affect the amenity of the adjoining residential environment or reserve in terms of effects such as noise, glare, dust, smell and vibration.

Setbacks from Indicative Roads and Reserves

C73
Op 6/23

- (15A) The extent to which alternative practical locations are available for the building.
- (15B) The extent to which alternative practical routes are available to achieve the road network intended by the indicative road.
- (15C) The extent to which alternative practical locations are available for future reserves.
- (15D) The effects of the building being sited within the setback of the indicative road or reserve.

Height

- (16) The extent of any adverse effects on the environment from exceeding a maximum height and, in particular, the effect of any increased building height on the visual character of the area and compatibility with the scale of adjoining buildings.
- (17) The degree to which the increased height or intrusion through the daylight admission lines (Schedule 17.1A) will affect the amenity and enjoyment of residential sites, streets and public open space through a reduction in view, casting of shadows, visual dominance of outlook by buildings, or loss of privacy through being overlooked from buildings, which is out of character with the local environment.
- (18) The degree to which the increased building height may result in decreased opportunities for views from properties in the vicinity or from roads.
- (19) The degree to which any adverse effects from increased height can be mitigated by site layout, setback, building design and appearance, and landscaping.

- (20) The extent to which the increased building height will adversely affect the natural character of the coastal environment.

Services

- (21) Provision for the collection and disposal of stormwater and wastewater.

Stormwater

C7 7/07
Op 10/10

- (22) The ability of the Council-provided stormwater drainage network to accommodate additional stormwater.
- (23) The extent to which the stormwater run-off generated by additional development has been managed.
- (24) The extent to which the activity has employed Low Impact Design solutions to the management of stormwater flow and water quality.
- (25) The extent to which permitted activity conditions for the use and storage of hazardous substances can be met.

Electricity Transmission Corridor

C10 10/07
Op 3/14

- (26) In the Richmond West Development Area:
- (a) the extent to which buildings comply with the safe distance requirements of the New Zealand Electrical Code of Practice for Safe Distances (NZECP 34:2001);
- (b) the extent to which the buildings are set back from high voltage transmission lines to ensure adverse effects on the National Grid and public safety are appropriately avoided, remedied or mitigated.

Duration and Financial Matters

- (27) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).
- (28) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

17.4.3.3A Restricted Discretionary Activities (Building Construction or Alteration - Specified Sites in Brightwater)

C57 11/15
Op 12/18

Construction or alteration of a building that either:

- (a) creates a new footprint or extends the footprint of a building in the Light Industrial zone in specified sites in Brightwater (as shown on the planning maps) that complies with permitted activity conditions 17.4.3.1(c)(iii), (d), (f) to (u); or
- (b) does not comply with Controlled Activity condition 17.4.3.2(b);

is a restricted discretionary activity.

A resource consent is required. Consent may be refused or conditions imposed, only in respect of the following matter to which the Council has restricted its discretion:

- (1) (a) Protection for flood flow paths during a 1 percent Annual Exceedance Probability event flood event;
- (b) the effects of a 1 percent Annual Exceedance Probability event flood event are mitigated so the building is not subject to inundation; and
- (c) the effects any proposed development has on the flood hazard within the site and beyond the site boundaries.

17.4.20 Principal Reasons for Rules

Building Coverage

Setting maximum building coverage enables space available for tree and garden plantings and parking. In Light Industrial and Heavy Industrial zones, building coverage allows for landscaping, parking, access and manoeuvring. The performance requirements allow reasonable development opportunities.

In Brightwater, a flexible approach to building coverage has been introduced in 2017 to enable site-by-site design for avoidance or mitigation of flood hazards from a 1 percent Annual Exceedance Probability flood event. The sites are located in on the floodplain of the Wairoa River at Brightwater and have been subject to periodic flooding. A site at the northern end of Spencer Place, Brightwater, is also bisected by the main trunk wastewater line. C57 11/15
Op 12/18

In the Richmond West Development Area (except in the Light Industrial Zone location at Beach Road as shown on the planning maps) and the Motueka West Development Area, coverage is limited to provide a standard of amenity and open space anticipated in a new industrial park. C10 10/07 Op 3/14
C43 4/13 Op 1/15

Building Setbacks

Setback is a means of mitigating various adverse effects, such as loss of privacy, loss of amenity, the visual impact of buildings from the street and from other zones (especially the Residential Zone), the lack of available parking areas and lack of opportunity for landscaping. Natural hazards, particularly river erosion, are also a consideration.

In the Industrial zones, road boundary setback is required in order to provide space for landscaping and parking, and due to the potential need for higher buildings, greater setback will enhance the feeling of spaciousness in these areas. Greater setback is required from Queen Victoria Street to allow for landscaping and a possible future bypass. C43 4/13
Op 1/15

Side and rear yards are required where Industrial zones adjoin a Residential Zone or public reserve to allow for screening, landscaping and to provide a degree of separation to protect the amenity of residential areas and reserves from dominance by industrial buildings.

Indicative Roads and Reserves

C73
Op 6/23

The indicative road and reserve networks are a critical element to managing growth within the Tasman District. A planned network provides well-connected and accessible living and business environments. The design and placement of roads and reserves also has the potential to contribute to the level of amenity and character of each area. The building setback requirement protects the future alignment and ability to establish these roads and reserves. In one area (Pohara area between Richmond Road and Falconer Road) the final location of the indicative roads has a degree of uncertainty greater than that which justifies protection of the future transportation corridor through managing building placement. As such, the building setback requirements do not apply in that area. The final location and construction of indicative roads and reserves (and walkways) are managed through the subdivision consenting process in Chapter 16.3. Other rules relevant to indicative roads and reserves can be found in Chapter 28.

Building Height

Height is a key factor in determining the visual amenity, dominance of buildings, levels of privacy, access to sunlight and daylight, and the spaciousness of an area.

The maximum height in the Light Industrial and Heavy Industrial zones is higher than in other zones to allow for machinery and processes which may be necessary for industrial activity to occur. There is a lower height limit on Lot 1 DP 6223 (Batchelor Ford Road, Motueka) as it is a small isolated coastal site. At Motueka West Development Area, the obstacle limitation surface for the aerodrome may be a relevant matter. C43 4/13
Op 1/15

Daylight admission lines are intended to reduce shading of adjoining sites by buildings by ensuring that buildings fall within an angle that allows sunlight to penetrate onto the adjoining site. The angle of the line will vary depending on the orientation of the building to the sun and is based on obtaining some sun onto sites even in mid-winter at midday. Consequently, north-facing walls will be able to be higher than south-facing walls. The angle has been set at a level that ensures reasonable amenity protection, whilst allowing reasonable development potential on adjoining sites.

Privacy

The proximity and location of windows adjacent to site boundaries can affect the privacy enjoyed on adjoining sites through being overlooked from buildings. Privacy is particularly valued in areas zoned Residential and therefore rules only relate to sites adjacent to these areas.

Landscaping and Visual Amenity

The location of outdoor storage areas at the rear of buildings, together with screening, will mitigate any adverse visual effects. Landscaping is only required to improve the visual appearance of business activity where activities can be viewed by the public from roads and public spaces and where sites are adjacent to a Residential Zone. Fences or walls are required where industrial zones adjoin a Residential Zone, in order to contain debris within the site and to screen business activities from residential areas. These requirements will separate incompatible activities and improve the standard of amenity in residential areas by reducing the dominance of buildings and improving the outlook towards residential areas.

Retailing

Limitations on retailing in Light Industrial and Heavy Industrial zones are imposed in order to encourage retail activity to consolidate in and close to the Central Business and Commercial zones. An additional reason for this rule involves the lower standard of amenity which is usually allowed for in Industrial zones compared with Central Business and Commercial Zones. This is sometimes necessary to enable activities to occur. Retailing that is primarily limited to bulky items and goods made on the site is unlikely to undermine the coherence and amenity values of either the commercial or industrial areas.

Noise

Restrictions on noise levels are necessary adjoining a Residential Zone as prevailing noise levels are low and need to be maintained at a low level in order to protect the pleasantness and amenity of these areas.

There are some specific sites where the permitted activity standards are set at a slightly higher level than for the Zone generally. This is in recognition of industrial activities which have been established under previous plans which have provided for such levels, and which are not practicably able to meet the standards now generally applying to the industrial/residential interface. For the larger of these sites, there is also a requirement for a Noise Management Plan to assist in mitigating effects of noise.

In some areas, such as in the vicinity of 68 Meihana and/or 83 Motupipi Streets (Fonterra Ltd) in Takaka, there are established existing use rights, and nearby residents may at times be affected by higher levels of noise than the Plan provides for.

In the Light Industrial Zone in the Richmond West Development Area (except in the Light Industrial Zone location at Beach Road as shown on the planning maps) the intra-zone noise emission control allows for light industrial activities to operate for 24 hours at a noise emission level that is compatible with the zone use. On the zone boundary, day and night controls (apart from exemptions) ensure compatibility with adjoining land uses and provides certainty as to the measurement point, compared with other controls such as “notional boundaries” where the establishment of sensitive activities nearby outside the zone may have the effect of continually altering the measurement point for noise assessment.

C10 10/07
Op 3/14

The use of a gradation of zones between Industrial zones and sensitive Residential Zones where the intermediate zones act as buffers, means that the separation distance will provide an effective mitigation measure from the adverse effects of noise emitted from the Light Industrial Zone. A buffer provided around the perimeter of the Light Industrial Zone at the interface with the Rural 1 Zone will also assist with providing noise attenuation at the boundary of the zone.

Residential Activities

Residential activities are excluded from Light Industrial and Heavy Industrial zones as often a lower standard of amenity is required in these zones for industrial activities to operate than would be expected in areas of residential activity. Therefore, if residential activities were located in industrial areas, the operation of these activities could be adversely affected by pressure from residents to reduce noise levels (and other effects) to levels compatible with residential activities.

Due to the level of amenity sought in the Residential Zone, where Light Industrial and Heavy Industrial zones adjoin this zone, performance requirements are provided regarding the location of work bays and vehicle access, parking and loading areas as it is considered that the effects of these activities, such as visual effects and noise, can be mitigated in this way.

Certain activities, which are known to be likely to cause noise nuisance (and other effects incompatible with residential amenity), are excluded from Light Industrial and Heavy Industrial zones where they adjoin a Residential Zone in order to protect the amenity of a Residential Zone.

Dust and Odour

Dust and odour can adversely affect the amenity enjoyed in all zones and may also adversely affect the operation of other activities such as food processing. As the effects of dust are often able to be mitigated, it is considered appropriate that mitigating measures be undertaken where possible.

The effects of odour can also affect the amenity enjoyed in areas and in some cases, can be hazardous to people's health, particularly where adjoining residential areas.

Glare

Lighting can have effects due to the glare or illumination produced, which can interfere with the enjoyment of a property and the sleep of occupants. These effects can be mitigated by altering the direction of lighting.

In addition, reflective surfaces such as metal and glass on buildings, fences or other structures can adversely affect the amenity enjoyed on adjacent sites. While it is not practical to require people to take steps to mitigate the effects of glare from glass surfaces, the effects from metal surfaces can be mitigated by painting or coating with a non-reflective finish.

Stormwater

C7 7/07
Op 10/10

The effective management of stormwater within industrial developments is an important issue that must be addressed. The risk of stormwater contamination is generally higher than in other zones. Industrial sites can have large areas of sealed or compact surfaces for outdoor storage, such as heavy machinery. Industrial businesses often also use and store hazardous substances and potentially contaminating substances.

Filling of Allotments

The standard seeks to avoid inhibiting or altering the course of natural over-land stormwater flow paths and the risk of flooding other properties.

Lower Queen Street Light Industrial Zone location

C79 11/24

Part of the Light Industrial Zone location in Lower Queen Street is subject to Schedule 17.4A. In this low-lying area appropriate land use activities and buildings can be undertaken in the short to medium term until such time as they become inappropriate due to their exposure to inundation, coastal hazards and sea level rise. Activities that are permitted in the Rural 1 zone remain permitted in this scheduled area.

Buildings in this area are subject to specific rules in the schedule and are required to obtain a resource consent and to be reassessed, and/or removed or relocated once the Schedule 17.4A sea level rise trigger is reached.

SCHEDULES

C79 11/24

Schedule 17.4A: Subdivision and building on low-lying light industrial land, Lower Queen Street, Richmond

This schedule provides rules for the land that is subject to Schedule 17.4A as shown in the planning maps. Rules for building construction or alteration are provided in this schedule. Rules for land use activities are in Section 17.4.2.1.

17.4A.1 Building Construction or Alteration

17.4A.1.1 No Permitted Building

No buildings are permitted.

17.4A.1.2 Controlled Activities

Construction or alteration of a building is a controlled activity, if it complies with the following conditions:

- (a) The building complies with the conditions (a) to (u) of Rule 17.4.3.1
- (b) The building is temporary, relocatable, or readily removable.
- (c) A condition is placed on any resource consent to the effect that the building must be relocated or removed from the site when Mean Sea Level reaches or exceeds the Schedule 17.4A sea level rise trigger.
- (d) With any resource consent application, the applicant provides a plan that satisfactorily addresses how the buildings are able, both physically and financially, to be removed from the site.

For the purpose of this rule, “readily removable”, means that the building is designed to be deconstructed with minimal destructive demolition. For example, it is made with panels which are bolted together and can be unbolted.

A resource consent is required and may include conditions on the following matters over which the Council has reserved control:

- (1) The nature of the building and its construction.
- (2) The risk of coastal erosion and flooding and adverse effects on the building and property from present and potential future coastal erosion and flooding hazards.
- (3) The effects of the proposed activity, including the effects of eventual building relocation and site remediation, on natural character and the coastal environment.
- (4) The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128).
- (5) Financial contributions, bonds and covenants in respect of the performance of conditions, and administrative charges (Section 108).

17.4A.1.3 Restricted Discretionary Activities

Construction or alteration of a building is a restricted discretionary activity, if it complies with the following conditions:

- (a) The building complies with conditions (b) to (d) of rule 17.4A.1.2

A resource consent is required. Consent may be refused, or conditions imposed, only in respect of the following matters to which the Council has restricted its discretion:

- (1) All matters identified in Rule 17.4A.1.2
- (2) All matters identified in Rule 17.4.3.3.

17.4A.1.4 Discretionary Activities

Construction or alteration of a building that does not comply with the conditions of Rule 17.4A.1.3 is a discretionary activity.

A resource consent is required. Consent may be granted and conditions imposed, or consent may be refused.

Principal Reasons for Rules

This scheduled area is subject to projected future inundation in the Light Industrial Zone location that was established by Plan Change 10. The rules for this location reflect that use of this land for light industrial purposes may be appropriate for a period of time, but that ultimately landowners must be responsible for removing industrial buildings and activities, and that this should be done “on a fine day” before significant damage or destruction of the buildings is done requiring forced relocation and coastal clean-up.