

# Chapter 6

## Industrial Zone





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## 6. INDUSTRIAL ZONE

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### 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. Activities can adversely affect the safety, sustainability and efficiency of the transport network.
7. There is a shortage of accommodation facilities for seasonal workers working in horticulture post-harvest facilities.

### 6.2 OBJECTIVES AND POLICIES

#### OBJECTIVE

- 6.2.1 Enable industrial activities to establish in industrial zones where the adverse effects of activities are managed both in the zone and between adjoining zones.**

#### POLICIES

- 6.2.1.1 Enable *industrial activities* 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.

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- 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 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 and overland flow paths.
- 6.2.1.6 Landscaping will be provided where the industrial activity is directly across the road from or directly adjoins the Residential, Rural or Mixed Activity Zone and there is potential to affect the *amenity values* of those zones.
- 6.2.1.7 To provide for the location of *seasonal worker accommodation* on the same site as *post-harvest facilities* in Industrial Zone.

### 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 an adjacent zone, including requiring *landscaping* of service and storage areas where visible 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.

### OBJECTIVE

- 6.2.3 **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.**

### POLICIES

- 6.2.3.1 To avoid, remedy or mitigate the adverse effects of Industrial Zone activities on the safety and efficiency of the transport network.

## 6.3 ACTIVITY STATUS

Resource consent is required for all Controlled, Restricted Discretionary, Discretionary and Non-complying activities. Resource consent is not required for Permitted activities provided all relevant standards are met.

Additional controls may apply in the following Chapters:

- Chapter 12 – Surface of Water Activities
- Chapter 13 – Landscapes, Indigenous Vegetation and Habitats
- Chapter 14 – Heritage
- Chapter 15 – Subdivision
- Chapter 16 – Financial Contributions
- Chapter 17 – Network Utilities
- Chapter 18 – Natural Hazards
- Chapter 19 – Coastal Environment Overlay

### 6.3.2 PERMITTED ACTIVITIES

6.3.2.1 Subject to compliance with the Zone Standards in Section 6.6, unless otherwise stated, the following activities may be established without resource consent from *Council*:

1. *Industrial activities* including food and seafood processing, packing and storage.
2. *Accessory retail activities* to a Permitted or Controlled Activity where the *total floor area* related to retailing is the lesser of either 100m<sup>2</sup> or 20% of the *total floor area*.
3. Maintenance work carried out by Bay of Plenty Regional Council on established drainage and flood control scheme works.
4. Activities on reserves as provided for in the Reserves Act 1977 or in an approved Reserve Management Plan.
5. *Temporary buildings* and associated activities required for a *building* or construction project of not more than 12 months duration.
6. *Signs* listed in 6.6.13.1.
7. Any activity that is not listed in this Chapter and which complies with the Zone Standards.
8. Sawmilling and timber processing.
9. *Temporary Military Training Activities* complying with in Appendix 3.
10. The relocation and re-siting of a *building*.
11. *Community correction activities*.
12. *Seasonal worker accommodation* for up to 24 people per night located on the same site as *post-harvest facilities*.
13. *Emergency services training* and associated management activities.

14. *Emergency service facilities.*
15. *Accessory buildings and activities accessory to a Permitted Activity.*

### 6.3.3 CONTROLLED ACTIVITIES

6.3.3.1 The activities listed below may only be established after resource consent has been granted by *Council*. The *Council* may impose conditions only in relation to the matters over which it has reserved control in section 6.4. The activities must comply with the Zone Standards in section 6.6, unless otherwise stated.

1. *Accessory buildings and activities accessory to a Controlled Activity.*
2. *Places of assembly.*
3. *Temporary buildings and associated 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 listed in 6.6.13.2.*
5. *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. *Temporary Military Training Activities not complying with Appendix 3.*

### 6.3.4 RESTRICTED DISCRETIONARY ACTIVITIES

6.3.4.1 The activities listed below may only be established after resource consent has been granted by *Council*. The *Council* may refuse consent or grant consent and impose conditions only in relation to the matters over which it has restricted its discretion in 6.5. The activities must comply with the Zone Standards in Section 6.6, unless otherwise stated.

1. *Food selling premises.*
2. *Relocation or resiting of a building not complying 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 6.6.8 (Wastewater Connections), 6.6.9 (Stormwater Management), and 6.6.10 (Water Supply), and 6.6.2.3 (Building setbacks from Council pipelines).*
5. *Seasonal worker accommodation for more than 24 people per night located on the same site as post-harvest facilities.*

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**6.3.5 DISCRETIONARY ACTIVITIES**

6.3.5.1 The activities listed below may only be established after resource consent has been granted by *Council*. The *Council* may refuse consent or grant consent subject to conditions. The Zone standards in 6.6 will be used as a guideline when assessing the application.

1. *Education facilities*.
2. Any activity involving *access* to or from the State Highway not provided for as a controlled activity.
3. *Signs* listed in 6.6.13.3 or that are not provided for as a Permitted or Controlled Activity.

**6.3.6 NON-COMPLYING ACTIVITIES**

6.3.6.1 The activities listed below may only be established if resource consent has been granted by *Council*. The *Council* may refuse or grant consent for a non-complying activity. The Zone standards in 6.6 will be used as a guideline when assessing the application.

1. Any activity not specifically stated as a Permitted, Controlled, Restricted Discretionary or Discretionary Activity or an activity which does not comply with the Zone Standards, unless otherwise stated.

**6.4 CONTROLLED ACTIVITIES: MATTERS OVER WHICH CONTROL IS RESERVED**

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 sign, building or 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.

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- 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 service lanes and *loading spaces* associated with the activity.
- 6.4.1.4 **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 resources of importance to Māori.
  3. The effects of the activity on heritage and conservation values 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.
- 6.4.1.7 **Temporary Military Training Activities not complying with Appendix 3**
1. Location in relation to noise sensitive activities.
  2. Hours of operation and duration.



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## 6.5 RESTRICTED DISCRETIONARY ACTIVITIES: MATTERS OVER WHICH DISCRETION IS RESTRICTED

6.5.1 Council has restricted its discretion over the following matters:

### 6.5.1.1 Relocation or re-siting of a building not complying with Rule 6.6.7

1. Proposed *landscaping*, including opportunities to screen the *building* during reinstatement.
2. Proposed timetable for completion of re-instatement works;
3. The appearance of the building when re-instated;
4. 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 6.6.8 (Wastewater Connections)

1. Mitigation of effects on existing infrastructure and the environment from:
  - a. Sewerage flow volumes.
  - b. Sewerage flow rates.
  - c. Sewerage flow timing.
  - d. Sewerage connections and on-site reticulation/infrastructure specifications.
  - e. Practicality of connection to *Council's* existing infrastructure.

### 6.5.1.4 Activities not complying with 6.6.9 (Stormwater Management)

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

### 6.5.1.5 Activities not complying with 6.6.10 (Water Supply)

1. Management of water supply demand in relation to:
  - a. Water flow rates.
  - b. Water flow volumes.

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c. Water supply connections specifications

6.5.1.6 **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.

6.5.1.7 **Natural Hazard Occurrence**

1. The susceptibility of the site to natural hazards and the measures implemented to mitigate the effects of natural hazards
2. The effect that the activity may have on the Volkners Island and Tarawa Creek ponding areas
3. The extent to which the activity may accentuate the adverse effects of natural hazards.

6.5.1.8 **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 resources of importance to Māori
3. The effects of the activity on heritage and conservation values, both on the site and on adjoining sites.

6.5.1.9 **Seasonal worker accommodation for more than 24 people per night located on the same site as post-harvest facilities**

1. The effect of the activity on the noise amenity effects on surrounding neighbours and measures to mitigate the effects of the activity.

## 6.6 ZONE STANDARDS

These Zone Standards apply to all permitted, controlled and restricted discretionary activities, unless otherwise stated. They will be used as a guideline when assessing applications for discretionary and non-complying activities.

Temporary Military Training Activities are exempt from complying with Zone Standards.

### 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

1. The maximum *height of buildings* within the zone is 12m. Hose drying towers associated with *emergency service* facilities may be up to 15m high.

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2. Non-compliance with this standard shall be considered a Restricted Discretionary Activity.

#### 6.6.1.3 Daylight protection

1. 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.
2. Non-compliance with this standard shall be considered a Restricted Discretionary Activity.

### 6.6.2 YARDS

#### 6.6.2.1 Building separation from adjoining properties

1. 7.5m from a boundary with the Residential, Rural or Mixed Activity Zone.
2. Non-compliance with this standard shall be considered a Restricted Discretionary Activity.

#### 6.6.2.2 Building setbacks from roads

1. All *buildings* shall be set back at least 4.5m from the *road* boundary where the land opposite is not zoned Industrial.
2. Non-compliance with this standard shall be considered a Restricted Discretionary Activity.

#### 6.6.2.3 Building setbacks from Council pipelines

1. 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.
2. Non-compliance with this standard shall be assessed as a Restricted Discretionary Activity.

### 6.6.3 LANDSCAPING

#### 6.6.3.1 Landscaping

1. All *industrial activities* shall provide a minimum 3m *landscaping* strip when adjoining a Rural, Residential or Mixed Activity zoned site or where the boundary is a *road* and the zone on the opposite side of that *road* is Rural, Residential or Mixed Activity Zone.
2. The 3m landscaping strip shall be planted with evergreen shrubs which will reach a minimum height of 1.8m and provide a continuous screen.

### 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 Residential and Mixed Activity Zone or the notional boundary with the Rural Zone the noise limits for the relevant zone shall be complied with. These standards shall not apply to sirens used by *emergency services*.

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 Acoustics - Measurement of Environmental Sound, and assessed in accordance with the provisions of NZS 6802:2008 Acoustics - 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 Acoustics - 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 LOADING AND ACCESS**

1. 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.
2. No vehicle *access* shall be located within 15m of an intersection.

**ADVICE NOTES:**

1. There are no minimum carparking requirements for the Industrial Zone.
2. The application shall have regard to Appendix 6 where guidance for carparking is required.

**6.6.6 FLOOR LEVELS**

6.6.6.1 Floor levels shall be sufficient to ensure that water does not enter *buildings* in a 1% AEP (Annual Exceedance Probability) event within the *Coastal Environment* or 2% AEP event for areas outside the *Coastal Environment*. *Council* will determine the appropriate freeboard that needs to be added to the flood level to set the required minimum floor level.

**6.6.7 RELOCATION OR RE-SITING OF A BUILDING**

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

1. A *building* inspection report shall accompany the *building* consent for the *building*. The report shall identify all *reinstatement work* required to the exterior of the *building*;
2. The *building* shall be located on permanent foundations approved by *building* consent no later than two months from the *building* being moved to the *site*.
3. All work required to reinstate the exterior of the relocated *building* in accordance with the building inspection report shall be completed within 12 months of the *building* being relocated on the *site*.
4. The proposed owner of the relocated *building* must certify to the Council that the *reinstatement work* will be completed within the 12 month period.

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

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**6.6.8 WASTEWATER CONNECTIONS**

6.6.8.1 All new developments within any of Council's wastewater scheme boundaries shall connect to the Council's wastewater system.

1. All new wastewater management systems shall be designed and constructed in accordance with 17.6.8.

**6.6.9 STORMWATER MANAGEMENT**

1. A stormwater disposal system shall be provided for any residential, community or business activity.
2. The stormwater management system shall be designed and constructed in accordance with Rule 17.6.9.

**6.6.10 POTABLE 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 17.6.10.

**6.6.11 VEHICLE ENTRANCES**

6.6.11.1 Vehicle entrances shall be shall be designed and constructed to shall comply with Appendix 4.

**ADVICE NOTE:**

Additional access width may be necessary to provide for emergency service vehicles in accordance with SNZ PAS 4509:2008 (refer 17.6.10 Advice Note)

**6.6.12 SEASONAL WORKER ACCOMMODATION**

1. The activity shall operate only for *seasonal worker accommodation* associated with the post-harvest facility and/or orchard operations associated with the facility.
2. The facility shall provide a combination of communal kitchen and eating areas and sleeping and ablution facilities
3. The facility shall be constructed in accordance with the Code of Practice for Able Bodied Seasonal Workers published by Ministry of Business, Innovation and Employment 2008.
4. The facility shall be located no less than 100m from any dwelling established in an adjoining zone. This may be reduced with the written consent of the owner of the neighbouring property.

5. An outdoor recreation area shall be provided with a minimum area of 50m<sup>2</sup> for every ten workers accommodated on the site.
6. An indoor recreation or communal area shall be provided with a minimum area of 25m<sup>2</sup> for every ten workers accommodated on the site.

### 6.6.13 SIGNS

6.6.13.1 The following signs shall be permitted subject to compliance with the standards in 6.6.13.4:

1. A *sign* with a maximum total area of 0.5m<sup>2</sup> for each 1m of *building* frontage or *site* frontage, whichever is the lesser.
2. Two free-standing pole-mounted *signs* where the frontage of the *building* is set back more than 5m from a *road* boundary, provided that each *sign* does not exceed 5m in *height* and 4m<sup>2</sup> in area.
3. A *temporary sign* with a maximum area of 1.8m<sup>2</sup>, where the written consent of the landowner has been obtained and provided to Council.
4. *Official signs*.

6.6.13.2 A *sign* with a maximum area of 1.1m<sup>2</sup> shall be a controlled activity in relation to any public purpose or on the same *site* as any of the following activities:

1. Recreation reserves
2. Churches and other *places of assembly*
3. *Education facilities*
4. Hospitals
5. *Community activities*
6. *Visitor accommodation*
7. Tourist or special information, including places or points of special interest.

6.6.13.3 The following *signs* shall be Discretionary Activities:

1. Illuminated *signs* that are not a Permitted Activity
2. Flashing, animated, trivision, revolving lights, lasers or aerial *signs* located adjacent to a state highway.
3. Free standing *signs* located within the boundary of a state highway with a speed limit of 50km/h or less.
4. Advance warning *signs* erected on a *road*.

- 6.6.13.4 *Signs* shall not:
1. Have reflective material or illumination that flashes or moves;
  2. Obstruct or impair the view of any official traffic sign and signal or the line of sight at any corner, bend, intersection of vehicle crossing;
  3. Physically obstruct or impeded traffic or pedestrians;
  4. Resemble or be likely to be confused with any official traffic signs or signs;
  5. Use support structures that are not frangible.

**ADVICE NOTES:**

1. Council controls signs under the Ōpōtiki District Council Consolidated Bylaws 2020.
2. Where signs on private property will be visible from a State Highway and resource consent is required, the NZ Transport Agency should be consulted in relation to traffic safety effects. It should also be noted that NZ Transport Agency controls signs on the State highway corridor Legal Road under the NZ Transport Agency Signs on State Highway Bylaw July 2010.

## 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. Use 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. Use Land Information Memoranda (LIM) and Project Information Memoranda (PIM) to provide information on known natural hazards to potential developers and applicants.
  6. Use *Council's* capital works programmes for street paving, street kerbing and channelling.
  7. 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.