

SECTION 7: INDUSTRIAL ZONE RULES

7.1 CATEGORIES OF ACTIVITIES

7.1.1 PERMITTED ACTIVITIES

The following activities are permitted activities in the Industrial Zone, provided activities comply with all relevant Permitted Activity Performance Standards in Section 7.2 and all other Sections of the District Plan:

- (a) Industrial activities.
- (b) Residential accommodation ancillary to the operation of any permitted activity.
- (c) Offices ancillary to the operation of any permitted activity.
- (d) Trade and Service Activity.
- (e) Commercial garages/vehicle sales yard.
- (f) Vehicle service stations.
- (g) Open space.
- (h) Emergency facilities.
- (i) Car parks.
- (j) Farming.
- (k) Activities servicing the needs to persons engaged within the Industrial Zone including canteens, cafes, dining rooms, recreational facilities and activities.
- (l) Activities and facilities associated with the bakery and the manufacture of yeast products in Manaia, within the sites shown in the Concept Plan (Industrial Zone Appendix 2).

Note: This activity is not subject to the performance standards in Section 7.2 except those in Section 7.2.8.

- (m) The construction, alteration of, addition to, removal and demolition of buildings and structures for any permitted activity.

7.1.2 CONTROLLED ACTIVITIES

None.

7.1.3 RESTRICTED DISCRETIONARY ACTIVITIES

The following activities are restricted discretionary activities in the Industrial Zone:

- (a) Unless listed elsewhere in the District Plan, any permitted activity listed in Section 7.1.1 which does not meet one or more of the performance standards in Section 7.2.

Matters to which the Council restricts its discretion:

- (i) Avoiding, remedying or mitigating of actual or potential effects deriving from non-compliance with the particular performance standards(s) that is not met.
- (b) Additions to existing noise sensitive activities within the Outer Control Boundary (OCB) of Hawera Aerodrome shown on Planning Maps (Special Map 1) (Refer to Rule 11.2.8).

Matters to which the Council restricts its discretion:

- (i) The nature, size and scale of the proposed development.
- (ii) The internal noise environment of the proposed addition.
- (iii) The effects on the safe and efficient functioning and operation of Hawera Aerodrome

7.1.4 DISCRETIONARY ACTIVITIES

- (a) Community activities.
- (b) Childcare facilities.
- (c) Education facilities.
- (d) Entertainment activities.
- (e) Healthcare services.
- (f) Residential activities.
- (g) Residential care facilities
- (h) Intensive Farming.
- (i) Retail activities.
- (j) Commercial activities.
- (k) Any activity that is not listed as a permitted, controlled, restricted discretionary, non-complying or prohibited activity.

7.1.5 NON-COMPLYING ACTIVITIES

- (a) Aggregate/soil extraction.
- (b) Noise sensitive activities within the Outer Control Boundary (OCB) of Hawera Aerodrome shown on Planning Maps (Special Map 1).
- (c) Any discretionary activity listed in Section 7.1.4 which does not meet one or more of the Discretionary Activity Performance Standards in Section 7.3.

7.1.6 PROHIBITED ACTIVITIES

None.

7.2 PERFORMANCE STANDARDS - PERMITTED ACTIVITIES

7.2.1 Bulk and Location

1. Yards: All buildings shall be located no closer than:
 - (i) 3m from a road boundary.¹
 - (ii) 3m from a rail boundary, except that this setback shall not apply to any building associated with the loading and unloading of goods from a railway.
 - (iii) 3m from a Residential, Township, Commercial or Rural Zone boundary.
 - (iv) 60m from the State Highway 3 boundary between the southern end of Wallscourt Place and the deviation of the rail line south of Ohangai Road, shown in Industrial Zone Appendix 1.

2. Sunlight Access Recession Plane: Buildings on sites adjacent to the Residential, Commercial or Rural Zones shall not project beyond a building recession plane from points 3m above the site boundaries adjacent to the Residential, Commercial or Rural Zones, as shown in Section 4: Residential Zone Appendix 1.

Except that:

 - (i) The recession plane shall not apply to road boundaries.
 - (ii) Where a boundary abuts an access lot or right of way, the boundary may be taken from the furthest boundary of the access lot or right of way.

3. Building Height: No part of any building, including poles, structures and fixtures associated with outdoor lighting, shall extend more than 15m above natural ground level.

Except that:

 - (i) For 29 Collingwood Street, Eltham, (Lot 8 DP 1360), no part of any building, including poles, structures and fixtures associated with outdoor lighting, shall extend more than 8m above natural ground level.

7.2.2 Sites Adjoining Residential Zone, Commercial Zone or Rural Zone

1. Where a site adjoins a Residential Zone, Commercial Zone or Rural Zone, the following standards apply:
 - (i) Landscaping and planting that can attain a minimum height of 2m, for at least 2m depth shall be provided at the boundary of any property in any other zone, unless screened by a solid fence as per clause (ii) below.

Except that:

 - a. For 29 Collingwood Street, Eltham, (Lot 8 DP 1360), where the site adjoins the Residential Zone to the north, landscaping and planting along this northern boundary that can attain a minimum height of 6m, for at least 3m depth shall be provided for at the boundary of 33 Collingwood Street.
 - (ii) All outdoor carparking, servicing and loading areas, and storage of goods, materials or waste products shall be screened from ground level view from any property in any other zone by a

¹ Appeal – Fonterra – ENV-2016-WLG-000073

close-boarded fence made of solid material with a minimum height of 1.2m and a maximum height of 2m.

- (iii) The spill of light from any outdoor artificial lighting shall not exceed 10 lux (measured horizontally and vertically) when measured at the boundary of an adjoining Residential zoned site or at the notional boundary of an existing dwelling unit located in the Commercial or Rural Zones.

7.2.3 Access and Rooding

1. All activities shall be provided with vehicle access from a road, and on-site parking, manoeuvring areas and loading facilities in accordance with the permitted activity standards in Section 10: Parking and Transportation.
2. Activities within the Industrial Zone between Hawera and Normanby shall provide vehicular access by way of local roads instead of State Highway 3.

7.2.4 Landscaping

1. All new buildings or carparking areas that are visible and adjacent to a road boundary shall provide landscaping and planting that can attain a minimum height of 1m, at a minimum width of 2m at the road boundary.

7.2.5 Outdoor Storage

1. All areas used for the storage of goods, materials or waste products shall be maintained in a tidy condition and shall be screened from view from roads by landscaping, or solid walls, buildings or fences not less than 1.8m in height.

7.2.6 Odour

1. No activity shall result in offensive or objectionable odours to the extent that it causes an adverse effect at or beyond the boundary of the site in which the activity is located on.

Note 1: For the purpose of this performance standard, an offensive or objectionable odour is that odour which can be detected and is considered to be offensive or objectionable by at least two independent observers; including at least one Council officer. In determining whether an odour is offensive or objectionable, the "FIDOL factors" shall be considered (the frequency; the intensity; the duration; the offensiveness (or character); and the location of where the odour (i.e. the sensitivity of the receiving environment).

Note 2: This performance standard shall not apply if the discharge of odour is authorised by a discharge permit granted by the regional council.

7.2.7 Hawera Aerodrome Protection Area

1. No building, mast, pole, other structure or tree shall penetrate the flight path protection plane, the transitional side slopes or the horizontal surface as shown on the Planning Maps (Special Map 1) and as defined in Appendices of the District Plan.

2. No road or railway shall be building above or within 4.6m vertically of the flight path protection plane, the transitional side slopes or the horizontal surface as shown on the Planning Maps (Special Map 1) and as defined in Appendices of the District Plan.

7.2.8 Yarrows (The Bakers) Sites

1. All activities, buildings, works and structures shall comply with the requirements shown on the Concept Plan in Industrial Zone Appendix 2.
2. All activities shall be in accordance with the permitted activity standards for noise levels in Section 11: Noise.
3. All roads, access, parking and loading areas shall be provided in accordance with the standards in Section 10, except that the Minimum Number of Parking Spaces under Rule 10.5.1 shall not apply provided there is sufficient parking spaces available on-site so that no vehicles need to be parked on road reserve.
4. No part of any new building, including poles, structures and fixtures associated with outdoor lighting, shall extend more than 18m above natural ground level.
5. At the time of development of the “Future Expansion Area” as shown on the concept plan in in Industrial Zone Appendix 2:
 - (i) Landscaping and planting that can attain a minimum height of 2m, for at least 2m depth shall be provided at the boundary shown as the “Proposed Landscaping Area” on the concept plan.
 - (ii) New buildings shall not project beyond a building recession plane from points 3m above the site boundaries adjacent to the Residential or Commercial Zones, as shown in Section 4: Residential Zone Appendix 1.

Note: The Yarrows (The Bakers) sites are not subject to any other performance standards in Section 7: Industrial Zone. For the avoidance of doubt, the Yarrows (The Bakers) sites are subject to the rules and standards in all other relevant Sections of this Plan.

Advice Notes

Note: Vegetation to be planted near electricity lines (including the National Grid) should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.

Note: The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) contains restrictions on the location of structures and activities in relation to the telecommunication and electricity lines (including the National Grid). Compliance with the permitted activity standards of the Plan does not ensure compliance with the NZECP 34:2001.

Where works are proposed near any electrical line, individuals are advised to contact the line operator to discuss the works.

7.3 PERFORMANCE STANDARDS – DISCRETIONARY ACTIVITIES

7.3.1 Residential Activities

1. All new dwelling units shall have a private outdoor living area which is at least 50m² in area and capable of containing a circle 4m in diameter, and is oriented to the east, west, or north of the dwelling unit.
2. All new minor dwelling units shall have a private outdoor living area which is at least 10m² in area and capable of containing a circle 2.5m in diameter and is oriented to the east, west or north of the dwelling.

Except that:

- (i) These requirements do not apply to new residential activity accommodated in buildings listed in Schedule 1A.

7.3.2 Noise

1. Any habitable room in a new dwelling unit in the Industrial Zone shall be designed, constructed and maintained to meet an internal noise level of:
 - (i) 35dB L_{Aeq} (1 hour) inside bedrooms with ventilating windows open.
 - (ii) 40dB L_{Aeq} (1 hour) inside other habitable rooms with ventilating windows open.

Compliance with this rule shall be achieved by an acoustic design certificate from a suitably qualified acoustic engineer being provided to the Council, prior to the construction of any noise sensitive activity, demonstrating that the above internal sound levels will be achieved. The building will be designed, constructed and maintained in accordance with the design certificate.

Where the noise level specified in this rule cannot be met with ventilating windows open, a ventilation system shall be installed for the habitable room(s).

Note: For the purpose of this rule. Ventilation System means a system complying with the Building Code (NZS 4303) for mechanical ventilation (refer Clause G4). This rule will ensure a minimum level of mechanical ventilation with ventilating windows closed.

7.4 Industrial Zone Appendix 1: 60 metre building setback from State Highway (Performance Standard 7.2.1.1(iv))



7.5 Industrial Zone Appendix 2: Yarrows (The Bakers) Ltd Concept Plan (Performance Standard 7.2.8)

