

## 32.0 Urban Industrial Zone

### 32.1 Permitted Activities

The following activities shall be permitted without a resource consent where together with any relevant definition they conform to the conditions for Permitted Activities as well as the general rules:

- Abrasive blasting;
- Activities ancillary to industrial activity (including showrooms, shops, offices, accommodation);
- Commercial activities;
- Effluent disposal, greywater, stormwater and air discharges;
- Emergency services facilities;
- Hazardous facilities with an effects ratio no greater than 1.0;
- Industrial activity;
- Land disturbance;
- Parks, reserves;
- Recreational facilities;
- Refuse transfer stations;
- Service stations;
- Temporary buildings; and
- Warehousing.

### Conditions for Permitted Activities

#### 32.1.1 Infrastructure and Services

##### 32.1.1.1 Vehicle Access

32.1.1.1.1 Every parking or loading space shall:

- a) Have such dimensions in accordance with Figure 26.12 of the Transportation Rules. (Refer to Chapter 26 General Rules); and
- b) Be provided with such access drives and aisles as are necessary for ingress and egress of vehicles to and from the road, and for the manoeuvring of vehicles within the site. In determining the extent of area required for manoeuvring space, the Council will be guided by the 90 and 99 percentile car and truck tracking curves shown in Figure 26.13 of the Transportation Rules. (Refer to General Rules).

32.1.1.1.2 In applying the tracking curves:

- a) where vehicles normally manoeuvre at speeds of less than 10km per hour a minimum clearance of 300mm shall be maintained between the vehicle tracking area curve and any fixed object;

- b) where vehicles normally manoeuvre at speeds greater than 10km per hour a minimum clearance of 600mm shall be maintained between the vehicle tracking curve and any fixed object; and
- c) for public and customer car parking below, the 99 percentile tracking curves shall apply.

**32.1.1.1.3** Every loading space shall be located on the same site as the activity to which it relates, be available at all times and shall have adequate useable access to that activity or building. Each loading space shall adjoin an adequate area for goods handling and shall be convenient to any service area or service lift.

**32.1.1.1.4** In addition every loading space shall be of useable shape and shall be of the following dimensions:

- a) For transport depots and other similar activities, not less than 9 metres in depth;
- b) For warehouses, bulk stores, industry, servicing premises and other similar uses, not less than 8 metres in depth;
- c) Offices and other non-goods handling activities, where the gross floor area is not greater than 1500m<sup>2</sup>, and where on-street space is available for occasional servicing by larger vehicles, 6 metres long, 3 metres wide, 2.6 metres high. (Van Loading Space);
- d) Notwithstanding anything to the contrary in the foregoing clauses, where articulated vehicles are used or are intended to be used in connection with any site, sufficient loading space not less than 11 metres in depth shall be provided for the purpose; and
- e) No loading space shall be less than 3.5 metres in width, or such greater width as is required for adequate manoeuvring.

### **32.1.1.2 Parking Space Requirements**

**32.1.1.2.1** The following provisions shall apply where either:

- An activity is established on a site;
- There is a change of activity; or
- A building(s) is constructed, substantially reconstructed, altered or added to. For the purposes of this rule altered or added to shall mean an addition or alteration of more than 25% of the gross floor area.

**32.1.1.2.2** If any activity is not represented in the list below, the activity closest in nature to the new activity should be used, or where there are two or more similar activities the activity with the higher parking rate shall apply. Alternatively, application may be made to find a new rate.

Activity	Parking Spaces Required
Bulk Store	One for every 100m <sup>2</sup> of gross floor area plus one for every 100m <sup>2</sup> of outdoor storage.
Buildings used for Recreation	One for every four people the facility (including grandstands) is designed to accommodate.
Funeral Parlour	One for each employee plus where funeral services, (eg; chapel) are performed one for every four persons the facility is designed to accommodate.
Health Care Services	One for every employee plus one for every 26m <sup>2</sup> of gross floor area.
Industry (including manufacturing, engineering and servicing)	One for every 50m <sup>2</sup> of gross floor area plus, in the case of a motor vehicle servicing premises, four spaces for each repair or lubrication bay.
Motor vehicle sales and service	One for every employee plus one per 10 display vehicles, plus four spaces for every repair and lubrication bay.
Motor Vehicle Wrecking	One for every 50m <sup>2</sup> of gross floor area.
Offices	One for every 35m <sup>2</sup> of gross floor area
Restaurants, cafés and other eating places	One for every 10m <sup>2</sup> of gross floor area, plus one for every 15m <sup>2</sup> of outdoor eating area.
Retail premises	One for every 17m <sup>2</sup> of gross floor area, plus one for every 17m <sup>2</sup> of outdoor retail.
Service Stations	Two spaces per three employees, two spaces per repair bay, one space per air hose and three queuing spaces per car wash.
Towing Services	One for every employee plus one space per 200m <sup>2</sup> of site area.
Transport Depot	One for every 60m <sup>2</sup> of gross floor area plus one space.
Warehousing and Storage	One for every 50m <sup>2</sup> of gross floor area plus one for every 100m <sup>2</sup> of outdoor storage area.
Workrooms	One space for every 50m <sup>2</sup> gross floor area.

## 32.1.2 Amenities

### 32.1.2.1 Noise

All permitted activities shall be conducted so as to ensure that noise arising from such activities does not exceed the following noise limits at any point on the boundary of the Urban Industrial Zone:

- At any time 65 dBA L<sub>10</sub>
- On any day between 2200 hours - 0700 hours 75 dBA L<sub>max</sub>  
the following day.
- On any day between 0700 hours and 2200 hours No L<sub>max</sub> limit
- At or within the boundary of any land zoned Urban Residential or within the notional boundary of any dwelling on land zoned Rural One or Rural Two:
  - 0700 hours - 2200 hours Monday to Friday and 75 dBA L<sub>10</sub>
  - 0700 hours - 1200 hours Saturday
- At all other times including any public holiday 45 dBA L<sub>10</sub> and 75 dBA L<sub>max</sub>

### **32.1.2.1.1 Construction Noise**

Construction noise shall not exceed the recommended limits in and shall be measured and assessed in accordance with the provisions of NZS6803P:1984 The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work.

### **32.1.2.2 Blasting**

#### **32.1.2.2.1 Airblast Overpressure**

Airblast overpressure from blasting on any land shall not exceed a peak non-frequency weighted (Linear or Flat) level of 115 dB, provided this level may be exceeded by up to 5% of the total number of blasts over any 12 month period. The level should not exceed 120 dB (Linear Peak) at any time.

Except where expressly provide elsewhere noise shall be measured in accordance with the provisions of NZS 6801:1991 Measurement of Sound, and assessed on accordance with NZS 6802:1991 Assessment of Environmental Sound.

#### **32.1.2.2.2 Vibration**

Vibration from a site due to blasting shall not exceed a peak particle velocity of 5mm per second provided this level may be exceeded on up to 5% of the total number of blasts over a period of 12 months. The level shall not exceed 10mm per second at any time.

### **32.1.2.3 Vibration**

#### **32.1.2.3.1 Inside Buildings**

Vibration from a site measured inside any dwelling in any zone shall not exceed a peak particle velocity of 0.1 metres per second.

### **32.1.2.4 Lighting**

**32.1.2.4.1** All exterior lighting shall be directed away from adjacent properties and roads so as to avoid any adverse effects on the neighbourhood and/or traffic safety.

**32.1.2.4.2** No activity shall result in greater than 10 Lux spill (horizontal and vertical) of light onto any adjoining property within the zone, measured 2 metres inside the boundary of any adjoining property.

**32.1.2.4.3** No activity shall result in a greater than 2.5 Lux spill (horizontal and vertical) of light onto any adjoining property which is zoned Urban Residential or Town Commercial.

### **32.1.2.5 Maximum Building Height**

The maximum permitted height of any building shall be 12 metres.

### **32.1.2.6 Building Setbacks**

- a) Minimum building setback from road boundaries shall be 3 metres;
- b) Minimum building setback from an Urban Residential Zone boundary shall be 6 metres;
- c) Minimum building setback from a Town Commercial Zone boundary shall be 3 metres;
- d) Minimum building setback from the coastal marine area shall be 20 metres; and

- e) Minimum building setback from the margin of any river, lake or wetland shall be 8 metres or where there is a stopbank shall be 8 metres from the landward toe of that stopbank.

#### **32.1.2.7 Outdoor Storage**

- a) Any outdoor storage shall be located behind the building setbacks in Rule 32.1.2.6. above; and
- b) Any outdoor storage area shall be screened from public view and shall be screened from an Urban Residential Zone (where applicable) by a solid wall or close boarded fence with a minimum height of 2 metres.

#### **32.1.2.8 Area to be Landscaped**

All front lots and all lots abutting adjoining zone boundaries shall have:

- a) A minimum of 5% of the site shall be set aside and landscaped;
- b) All required landscaped areas shall be located between the road frontage and front of buildings on the site, except on rear sites. Except that on sites abutting either an Urban Residential Zone or a Town Commercial Zone, at least half the required landscaped area shall be located between the building and abutting zone boundary;
- c) Any landscaped areas shall include a landscaping strip of a minimum average width of 1.5 metres and minimum width of 0.6 metres, adjacent to the road frontage, except across entranceways or on sites or parts of a site on the opposite side of a road from an Urban Residential Zone or Town Commercial Zone, where the landscaping strip will be a minimum average width of 4.5 metres and a minimum width of 1.5 metres adjacent to the road frontage; and
- d) Landscaping strips or planting protection areas shall not be covered with any impervious surfaces. Where adjacent to or within carparks, landscape strips shall be protected by wheel stop barriers to prevent damage from motor vehicles.

### **32.1.3 Land Disturbance**

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#### **32.1.3.1 Land Disturbance General**

Any land disturbance activity which meets the conditions below is a Permitted Activity.

##### **32.1.3.1.1 Conditions**

- a) Any increase in the concentration of suspended sediment shall not be more than 20% as measured by the 'black disk' method, notwithstanding that the concentration of suspended sediment in run-off water shall not exceed 200 grams/cubic metre at any point of discharge to any receiving water. The effects on the receiving water are to be measured at a distance downstream of two widths of the receiving watercourse or 50 metres, whichever is the lesser;
- b) No woody material of greater than 100mm diameter shall be left in any permanently flowing river, lake, wetland or sea as a result of a land disturbance operation; and

- c) All land disturbance sites are to be stable when subject to a storm event of return frequency probability of 10% or less.

#### 32.1.3.1.2 Exception

Except any land disturbance activity that does not comply with the above conditions or is in an area identified as a hazard area that is required for the purposes of constructing or providing access to any structure requiring a building permit under the Building Act 1991, shall not be a Permitted Activity, with no restriction on the exercise of Council's discretion.

#### 32.1.3.2 Excavation and Filling

##### 32.1.3.2.1 Conditions

- a) The maximum volume for either excavation or filling shall not exceed 20m<sup>3</sup> in any continuous ten year period;
- b) The gradient of any side cut excavation must not exceed an average of 9.5 (1:6) and must not exceed 11.3 (1:5) along any length of more than 20 metres;
- c) Stormwater controls, watertable cut-offs, and culverts are to be installed to ensure that erosion does not occur on the inside edge of the cut. No culvert size less than 300mm may be used to drain any side-cut excavation;
- d) Batters and side castings are to be established by appropriate measures such as seeding, compacting, drainage and/or other methods of revegetation;
- e) Run-off from watertables or surfaces of side-cut excavations is to be directed to stable land areas; and
- f) Except for direct approaches to bridges, crossings and fords; maintenance of rail and public roads; and trenching for cable laying, no excavation or filling must take place within riparian management zones as specified in the schedule of water bodies and Table 1 in Appendix I and as mapped in Ecology Maps in Volume Three, or in a manner or location where the General Conditions for Land Disturbance above can not be complied with.

##### 32.1.3.2.2 Fill Content

In addition to compliance with the conditions relating to the volume of fill material any filling of land or depressions is a Non-Complying Activity where the fill contains:

- Putrescible, inflammable or hazardous components;
- Material other than rubble, ballast, stones, soily material and demolition material; or
- Vegetation which is not incidental to the clearing of sites, and which comprises more than 5% of the fill material, by volume.

##### 32.1.3.2.3 Exemptions

The following activities are exempt from control on the volume of material:

- Any works involving the repair or replacement of any utilities; and

- Support structures for any permitted or approved buildings, signs, fences and works.

## **32.1.4 Hazardous Facilities (District Function)**

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### **32.1.4.1 Effects Ratio**

Any activity having an 'effects ratio' no greater than 1.0 shall be a Permitted Activity. The 'effects ratio' shall be calculated in accordance with the Hazardous Facilities Screening Procedure set out in Appendix C.

### **32.1.4.2 Site Design**

**32.1.4.2.1** Any part of the site where liquid or solid hazardous or environmentally damaging substances are stored or used shall be effectively sealed with materials which are resistant to the substance(s).

**32.1.4.2.2** Any part of the site where liquid or solid hazardous or environmentally damaging substances are stored or used shall be sealed and bunded so that the equivalent of the maximum of the largest container within the bunded area could be contained and excluded from the stormwater system if a spill occurs. In areas where drums are stored, the bunded area shall be able to contain half of the maximum amount of the material stored.

**32.1.4.2.3** Any bunds shall be constructed from materials which are resistant to the substance that the bund is designed to contain, so as to prevent the substance entering the soil.

**32.1.4.2.4** All stormwater grates shall be clearly marked.

**32.1.4.2.5** Storage of petroleum products in underground tanks shall comply with the most recent version of the Code of Practice for Design, Installation and Operation of Underground Petroleum Storage Systems.

**32.1.4.2.6** Any part of the site where solid or liquid hazardous or environmentally damaging substances are loaded or unloaded shall be sealed, bunded, and drained to the satisfaction of the Council.

**32.1.4.2.7** All vehicle accessways onto that part of a hazardous facility site where hazardous and environmentally damaging substances are loaded or unloaded shall have cut off drains installed which are not directly connected to the stormwater system.

**32.1.4.2.8** Any part of the site where vehicles, equipment or containers that have or may have become contaminated with hazardous or environmentally damaging substances are washed, shall be sealed, bunded and drained so that process effluent (run-off) from the washdown area is discharged into the foulwater system, or collected and stored in tanks for removal by a suitable trade waste contractor.

**32.1.4.2.9** A record will be kept of the quantities of hazardous wastes stored on-site, or taken away for disposal.

### **32.1.4.3 Hazardous Waste Management**

#### **32.1.4.3.1 Conditions**

- a) The storage of hazardous waste on the site shall be in suitable containers that are either covered or located in a roofed area;
- b) A waste audit shall be undertaken for all premises generating waste hazardous substances in volumes greater than 6m<sup>3</sup>/week;
- c) All sites where waste hazardous substances or waste containing hazardous substances is, or may be generated must provide appropriate and sustainable disposal procedures. Hazardous waste disposal in or outside the district may only be to facilities which are formally approved by the Council; and
- d) A record will be kept of the quantities of hazardous wastes stored on the site, or taken away for disposal.

#### **32.1.4.4 Fire Safety**

All hazardous facilities where flammable hazardous substances are either used or stored shall have adequate fire safety equipment in place in compliance with the requirements of the Dangerous Goods Regulations.

#### **32.1.4.5 Signage**

All hazardous facilities shall be adequately signposted according to the most recent version of the Code of Practice for Warning Signs for Premises Storing Hazardous Substances of the New Zealand Chemical Industry Council.

#### **32.1.4.6 Emergency and Evacuation Plan**

All hazardous facilities shall have in place an emergency and evacuation plan which deals with possible on-site accidents involving hazardous substances. A current copy of the plan may be lodged with the Council.

### **32.1.5 Discharges**

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#### **32.1.5.1 Discharges to Air**

##### **32.1.5.1.1 Discharge for the Purpose of Ventilation**

The discharge from any premise for the purpose of ventilation or from a fume cupboard shall be a Permitted Activity provided that:

- a) There is no objectionable odour or dust at or beyond the property boundary, or beyond 20 metres from any point of discharge when it is sited on public land;
- b) There is no offensive, adverse, or objectionable health effects beyond the property boundary; and
- c) Any fume cupboard installed prior to 1 October 1993 shall have existing rights of operation, provided it complies with the Building Act 1991, and the Health and Safety in Employment Act 1992. New fume cupboards in buildings undergoing significant building alteration, shall comply with New Zealand Standard 7203:1992 Safety in Laboratories- Fume Cupboards.



**32.1.5.1.2 Discharges of Displaced Air**

The discharge into air of any contaminant from tanks used for the storage of liquids (including petrol and diesel oil) or from the venting of gas pipelines, pumps, compressors or tanks shall be a Permitted Activity provided that:

- a) There is no objectionable odour or dust at or beyond the property boundary, or beyond 20 metres from the point of discharge whichever distance is less.

**32.1.5.1.3 Discharges of Water Vapour**

Any discharge into air of condensed water vapour, including steam shall be a Permitted Activity provided that:

- a) Any plume does not impair visibility on any road or in any aircraft flight path;
- b) There is no drift of an objectionable plume onto an adjacent property; and
- c) There is no venting of steam or water vapour directly above footpaths or onto other properties.

**32.1.5.1.4 Discharge From Small Scale Fuel Burning Equipment**

The discharge into air from an industrial trade premise, or from a non-moving source that is not an industrial or trade premise, of:

- products of combustion from fuel burning equipment using coal, oil, or untreated wood at a rate not exceeding 40 kilowatts; or
- methane, or natural or liquefied petroleum gas at a rate not exceeding 5 Megawatts

shall be a Permitted Activity provided that:

- a) The discharge is from a chimney or exhaust flue;
- b) There is no objectionable smoke at or beyond the property boundary;
- c) Smoke does not adversely affect visibility on any road;
- d) There is no objectionable odour at or beyond the property boundary; and
- e) There is no objectionable deposition of particulate matter from smoke onto any land or structure at or beyond the property boundary.

**32.1.5.1.5 Discharges Associated with Storage, Transfer and Disposal of Waste**

The discharge of particulate matter, dust and odour into air from any source (whether moveable or not) that is used for the storage, transfer, treatment and disposal of solid or liquid waste management purposes or for composting organic material is a Permitted Activity provided that there is no objectionable deposition of dust at or beyond the property boundary.

**32.1.5.1.6 Discharges from Particular Industrial or Trade Premises**

The discharges of contaminants into air from:

- Premises for the manufacture of beverages, including soft drinks, extraction of fruit juices, fermentation of wine, distillation of spirits, and alcoholic beverages;

- Premises used as or associated with funeral parlours, chapels, stonemasons;
- Premises used as or associated with the manufacture of household, industrial, electrical and garden equipment and appliances, excluding the manufacture of concrete products, rubber goods, processes involving the galvanising of steel;
- Premises used for food processing by deep fat frying or oil frying of any animal or vegetable matter where the processes have either singly or together a raw material capacity of less than five tonnes an hour;
- Premises used for joinery, including the manufacture, restoration or finishing of furniture and wood crafts, and cabinet making;
- Premises used for powder coating and spraypainting;
- Premises used for the application of surface coating, including printing or manufacture of packaging materials, and printing of paper;
- Premises used for the drying of grain and vegetable matter;
- Premises used for the manufacture of furnishings, clothing, carpets, but excluding rubber underlay;
- Premises used for the operation of drycleaning, dyeing, laundering and cleaning facilities;
- Premises used for the processing of food including baking, cooking, freezing and canning, but excluding the production of milk powders;
- Premises used for the retail and wholesale distribution of automotive fuels, oils, liquefied gases and gases;
- Premises used for the retail and wholesale distribution of fuels used for industrial processing and home heating;
- Premises used for the sale, servicing or repairs to motor vehicles, trains, trailers, boats or like equipment, including body and engine repairs, panel beating, fibre-glassing, and painting, when carried out in a booth or enclosure that has been designed to contain any emission of paint overspray;
- Premises used for the storage of food in refrigerated units;
- Premises used for the storage, blending and distribution of bulk products, including fertiliser, animal feeds, roading materials, gardening materials, and concrete processing materials; and
- Premises used solely for animal slaughtering;

is a Permitted Activity provided that:

- a) There is no objectionable odour at or beyond the property boundary; and
- b) There is no objectionable deposition of dust at or beyond the property boundary; and
- c) There is no offensive, adverse, or objectionable health effects beyond the property boundary.

#### **32.1.5.1.7 General Rules Relating to Dust Emissions**

- 32.1.5.1.7.1** Any person undertaking an activity resulting in the emission of dust shall adopt the best practicable option to avoid, remedy or mitigate adverse effects resulting from the dust emissions on the receiving environment.

**32.1.5.1.7.2** The discharge of non-toxic dusts from any process vent or stack is a Permitted Activity subject to the following conditions:

- a) Any air pollution control equipment and dust collection system shall be designed to achieve a particulate discharge rate of  $125\text{mg}/\text{m}^3$  (corrected to 0 degrees Celsius, 1 atmosphere pressure, dry gas basis) and at no time shall emissions exceed  $250\text{mg}/\text{m}^3$  (corrected to 0 degrees Celsius, 1 atmosphere pressure, dry gas basis);
- b) No particles in the emission shall be larger than 0.5 millimetres in diameter;
- c) Notwithstanding the above, there shall be no visible emission of dust from any process vent or stack (note that 'dust' refers to solid particulate and does not include emissions of vapour or droplets); and
- d) The discharge of non-toxic dust from any process vent or stack shall not result in deposition of solid material on property owned or occupied by persons other than those who carry out the activity.

### **32.1.5.1.8 Abrasive Blasting Operations**

#### **32.1.5.1.8.1 Non Mobile Source**

The discharge of contaminant into air from abrasive blasting, other than from a mobile source, is a Permitted Activity provided the following conditions are met:

##### **32.1.5.1.8.1.1 Conditions**

- a) The surface to be blasted shall not contain any lead, zinc, arsenic, chromium, cadmium, copper, mercury, tributyl tin or thorium-based compounds;
- b) When using dry abrasive blasting techniques, all items shall be blasted within an abrasive blasting enclosure, and air extracted from the enclosure shall be filtered so that there is no visible discharge of dust;
- c) When using wet abrasive blasting techniques, there shall be no discharge of water spray beyond the boundary of the subject property;
- d) The discharge shall not raise the ambient dust deposition rate by more than  $4\text{ g}/\text{m}^2$  per 30 days at any point beyond the boundary of the subject property; and
- e) Sand or any other material used for abrasive blasting shall contain not more than 5% free silica on a dry weight basis, and shall not be reused.

#### **32.1.5.1.8.2 Mobile Source**

The discharge of contaminant into air from abrasive blasting using a mobile source is a Permitted Activity provided the following conditions are met:

##### **32.1.5.1.8.2.1 Conditions**

- a) The surface to be blasted shall not contain any lead, zinc, arsenic, chromium, cadmium, copper, mercury, tributyl tin or thorium-based compounds;
- b) The Council and owners or occupiers of properties adjacent to the subject property shall be notified of the location, date and duration of the proposed abrasive blasting operation at least five working days before the commencement of the work;

- c) Sand or any other material used for abrasive blasting shall contain not more than 5% free silica on a dry weight basis;
- d) The operator shall so far as is practicable collect all debris and used blasting materials;
- e) All collected debris and used blasting materials shall be removed from the site daily and when operations are completed;
- f) There shall be no discharge of water spray beyond the boundary of the subject property, or beyond 50 metres of the discharge when sited on public land; and
- g) There shall be no visible discharge of dust beyond the boundary of the subject property, or beyond 50 metres of the discharge when sited on public land.

### **32.1.5.2 Effluent Disposal**

#### **32.1.5.2.1 General**

Provision must be made for the satisfactory disposal of all effluent and greywater in accordance with the requirements of the Plan. The requirements of the Plan are deemed to have been met where:

- All effluent and greywater is connected to a public system expressly designed for this purpose; or
- Any discharge of effluent into or onto land is a Discretionary Activity on land located within any Hazard Area identified on the Planning Maps and/or Hazards Register.

#### **32.1.5.2.2 Trade Waste Disposal**

##### **Conditions**

- Collection of waste on-site shall be in suitable containers that are either covered or located in a roofed area; and
- Process waste shall not be discharged into stormwater.

Note: For hazardous waste refer to Rule 32.1.4

#### **32.1.5.3 Stormwater Discharges (Point source and Non Point Source)**

The discharge of point source stormwater, to land or natural water, by gravity and/or; the discharge of non point source stormwater, to land or any natural water; shall be a Permitted Activity provided that;

- a) The discharge shall not cause any significant erosion or inundation of land;
- b) The discharge shall not have any significant adverse effect on water quality;
- c) The discharge shall not have any adverse effect on any fisheries, wildlife habitats or recreational values of any waterbody; and
- d) The discharge does not contain stormwater from an area where hazardous substances are stored unless:

- Hazardous substances cannot enter the stormwater; or
  - There is an interceptor system in place to collect hazardous contaminants or diverted contaminated stormwater to a trade waste system;
- e) The above provisions do not apply to the drainage of naturally occurring wetlands or lakes;

Note: The discharge of stormwater into the Coastal Marine Area is dealt with by the rules in the Coastal Marine Zone.

### **32.1.6 Hazards/Riparian Management**

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**32.1.6.1** Except for internal alterations within an existing structure, building activity is not a Permitted Activity within the coverage of the Natural Hazards overlay identified on the Planning Maps.

**32.1.6.2** Unless specified in the schedule of water bodies and Table 1 in Appendix I and the Ecology Maps in Volume Three, or to the contrary elsewhere in the Plan, all proposed buildings and structures shall be set back at least 8 metres from the top of any bank of any river, or where there is a stopbank at least 8 metres from the landward toe of that stopbank, except that this shall not apply to road structures across rivers. Buildings and structures shall be set back at least 20 metres from the coast, lakes and wetlands.

## **32.2 Controlled Activities**

Application must be made for a resource consent for a Controlled Activity for:

- Discharges to Air

### **32.2.1 Discharge to Air**

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Subject to Industrial Zone Rule 32.1.5.1.6 the discharge into air from an industrial or trade premise, or from a non-moving source that is not an industrial or trade premise, of the products of combustion from fuel burning equipment used for generating heat or electric power using:

- a) Methane or natural or liquefied petroleum gas for the purposes of generating heat or electric power at a rate not exceeding of 50 Megawatts; or
- b) Untreated wood, coal or oil, excluding waste oil, for the purposes of generating heat or electric power at a rate not exceeding 10 Megawatts

### **32.2.2 Standards**

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Where the limits specified in Rules 32.2.1(a) and 32.2.1(b) above apply to the cumulative generated heat or electric power produced by the specified fuel within the same premises and:

- a) The chimney is designed so that the discharge is vertically upwards and unimpeded by cowls or any other fixtures on the top of the stack; coning may be used to increase the velocity discharge;
- b) The opacity of the discharge when measured at the point of entry to the atmosphere does not exceed 20%, except that a discharge in excess of this shall be permitted for a period of not more than 2 minutes continuously or for an aggregate of 4 minutes in any 60 minute period; and
- c) The minimum chimney height conforms with the requirements in Appendix G: Requirements for Chimney Heights.

### **32.2.3 Matters Over Which Council Will Exercise Control**

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The Council reserves control over and may impose conditions with respect to:

- a) The location of the point of discharge;
- b) Operating times;
- c) The payment of administrative charges;
- d) The taking and supplying of samples;
- e) The carrying out of measurements, samples, analyses, surveys, investigations or inspections;
- f) The provision of information to the Council at specified times; and
- g) Compliance with monitoring, sampling and analysis conditions at the consent holder's expense.

## **32.3 Limited Discretionary Activities**

- Minor Non Compliance and
- Activities within Riparian Management Zones (specified in Appendix I and Ecology Maps in Volume Three).

### **32.3.1 Minor Non Compliance**

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Minor non-compliance with the conditions for Permitted Activities may be permitted to the extent specified below and will be considered by way of a Limited Discretionary Consent.

- Building setbacks by up to 20% of the maximum specified condition;
- Buildings and structures within 8 metres of any stopbank up to 100% dispensation;
- Buildings encroaching the height envelope created by the recession plane angles by a maximum of 1 metre in any direction;
- Buildings exceeding the maximum permitted height up to a maximum of 20% of the specified condition;

- Landscaping requirements; and
- Parking requirements.

### **32.3.2 Limits to the Council's Discretion**

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In each of the above cases the Council's discretion shall be limited to a consideration of the adverse effects expected to directly result from the proposed non-compliance; together with such matters listed in 32.3.3 below as are relevant to the non-compliance.

All applications for minor non-compliance shall be non-notified, however, the Council may require the written approval of every person who may in the Council's judgement be adversely affected by the granting of the consent for non-compliance unless it is considered unreasonable in the circumstances to require such approval.

### **32.3.3 Matters for Consideration in the Exercise of Council's Discretion**

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**32.3.3.1** In considering any application for minor non-compliance the Council will in the exercise of its discretion have regard to the following matters:

**32.3.3.2** The non-compliance should not:

- a) Diminish the overall character of the locality;
- b) Detract from the openness of the site when viewed from the street;
- c) Detract from the functioning of the roading networks;
- d) Adversely affect privacy enjoyed on adjoining residential properties;
- e) Significantly diminish the daylight available to adjoining properties or cause shading of outdoor living areas, service courts, open space or habitable rooms on adjoining properties;
- f) Significantly reduce the usability or amenity of open space, living courts, or service courts on the applicant's site;
- g) Adversely affect on-site vehicle manoeuvring or car parking areas or affect the safe flow of traffic on adjoining roads;
- h) Adversely affect the hydraulic efficiency of any river;
- i) Adversely affect access to the margins of rivers, lakes, wetlands or the coastal marine area; and
- j) Adversely affect the stability of land or bank of any river.

### **32.3.4 Conditions**

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**32.3.4.1** With respect to a waiver of parking requirements, either wholly or in part any application may be subject to conditions on the following matters:

- a) Restrictions on intensity and scale of activity so as to keep traffic generation in the vicinity within the capacity and safety limits of the adjoining roading system;

- b) Measures to be implemented in order to increase the capacity and/or safety of the roading system in order to accommodate the proposed traffic generation and ensure adequate allowances for future traffic growth. This may require financial contributions on behalf of the applicant to achieve these measures;
- c) A financial contribution (not exceeding the total land value and formation of the parking spaces concerned) may be required by the Council, to be used for the purchase, provision and maintenance of a public carpark in the near vicinity of the site or to be used to undertake road works which improve the on-street parking capacity of the centre; and
- d) Where there is an existing public parking area in the vicinity, the Council may impose a condition requiring the applicant to lease a certain number of parking spaces within it, so as to mitigate the effects of the lack of parking provision on the applicant's site.

### 32.3.5 Activities within Riparian Management Zones (specified in Appendix I and Ecology Maps in Volume Three)

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#### 32.3.5.1 Matters to which Council has restricted the exercise of its discretion:

- a) The effects on the natural clarity of any river, lake, wetland or the sea;
- b) The effects of the entry of any woody material into any river, lake, wetland or the sea;
- c) The effects on natural hazard management, including stability of riparian management zones and river control matters;
- d) Protection of riparian habitat diversity;
- e) Protection of in-stream habitat; and
- f) Provision of physical public access where legal public access is provided for.

## 32.4 Discretionary Activities

Application must be made for a Resource Consent for a Discretionary Activity for the following:

- Activities listed as permitted activities which do not comply with conditions or with the provisions of minor non-compliance dealt with as limited discretionary activities;
- Activities listed as permitted activities and either adversely affecting or being affected by any hazard area identified on the Planning Maps as a hazardous area;
- Hazardous facilities with an effects ratio of greater than 1.0;
- Building construction in riparian management zones as identified in Appendix I and the Ecology Maps in Volume Three.



## 32.4.1 General Assessment Criteria

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Any application for a Discretionary or Non-Complying Activity shall generally comply with the conditions for Permitted Activities. In addition they shall be considered in terms of the following assessment criteria. For some activities specific standards as specified also apply.

### 32.4.1.1 Matters the Subject of Assessment

#### 32.4.1.1.1 Traffic Generation

Any adverse effect on the capacity of the adjoining roading network, caused by the expected traffic generation of a proposal.

#### 32.4.1.1.2 Parking

In general a proposal should comply with the condition set out for Permitted Activities unless it is not appropriate to do so because of inherent site considerations or the nature of the activity itself.

#### 32.4.1.1.3 Buildings

These should be of a similar or complementary scale to that of other buildings within the area. Where buildings are not of a similar scale methods should be used to mitigate any adverse effect by increasing separation distances between the proposal and existing development and the provision of screening.

#### 32.4.1.1.4 Residential Zone Interface

Of concern is the protection and maintenance of amenity values of any adjoining Residential Zone interface. Any proposal must demonstrate that it will have minimal impact on this interface.

#### 32.4.1.1.5 Infrastructural Constraints

The site must be able to sustain the infrastructural servicing needs of the development. Where the existing infrastructure cannot sustain the new development, the proposal must demonstrate an ability to meet its own servicing needs.

#### 32.4.1.1.6 Discharge to Air

- a) The suitability of the site for the proposed activity, with respect to the proximity of residences or public places;
- b) Any means of containment of any substance or material likely to cause airborne contaminants, and the adequacy of that means;
- c) Any proposals, and their likely effectiveness, for avoiding or containing any discharges of air contaminants;
- d) The likely intensity, duration and extent of any airborne contaminants that are expected from the processes to be used; and
- e) Any alternative processes that may be utilised which would reduce or avoid any airborne contaminants.

#### 32.4.1.1.7 Public Safety

Depending on the nature of the proposed activity, it must be demonstrated that any process or activity does not impinge on public safety.

#### **32.4.1.1.8 Effect on the Environment**

Activities may be subject to conditions relating to water discharges, air pollution and emissions and soil quality to prevent or reduce to an acceptable level any adverse effect the development may have on the environment.

#### **32.4.1.1.9 Effect on Wider Community**

The applicant will need to indicate any effect the proposal may have or is likely to have on the neighbourhood, and on the wider community including socio-economic and cultural effects. In particular the applicant must demonstrate that no significant adverse effect will occur on the physical resources of existing viable commercial centres within the wider community.

### **32.4.2 Particular Criteria and Standards Applicable to Listed Discretionary Activities**

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#### **32.4.2.1 Hazardous Facilities (District Function)**

##### **32.4.2.1.1 Criteria for Assessment**

- a) The location of any special natural features, or other environmentally sensitive areas to be protected;
- b) The possibility of exposure to natural hazards;
- c) The density of surrounding development;
- d) The availability of and access to suitable transport routes;
- e) The risks associated with transportation to or from the site;
- f) Compliance with any relevant codes of practice or guidelines;
- g) Specific requirements may be imposed to ensure that any undue risk posed by the facility is avoided or mitigated. Particular regard will be given to site layout, site management and emergency procedures and monitoring systems;
- h) Provision for the site management (operational plans and emergency plans);
- i) Proposals for monitoring storage, use and transportation of hazardous substances; and
- j) Consideration of practicable alternative operating methods or sites.

#### **32.4.3 Resource Consent Conditions**

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**32.4.3.1** Any resource consent may include conditions relating to any one or more of the following:

- a) All those matters contained in section 108 of the Act;
- b) The bulk, design, appearance and location of buildings;
- c) The landscape treatment and maintenance thereof;
- d) Access, traffic and parking;
- e) Control of wastes, discharges and hazardous substances;

- f) The protection and enhancement of amenity values;
- g) The protection and enhancement of the quality and quantity of natural waters or water systems;
- h) Financial contributions in accordance with the requirements of the Plan;
- i) Bonds or covenants to secure the performance of consent conditions; and
- j) Adverse effects on the environment.

### **32.5 Non-Complying Activities**

- Any activity other than a Prohibited Activity which is neither a Permitted Activity, Controlled Activity, Limited Discretionary Activity nor a Discretionary Activity shall be deemed to be a Non-Complying Activity.

### **32.6 Prohibited Activities - being activities for which no resource consent shall be granted**

- The disposal of hazardous waste substances to land or water.
- The combustion of:
  - materials associated with the recovery of metals from insulated electrical cables; or
  - materials and metals used in motor vehicles; or
  - any other PVC plastic, or rubber tyres, treated timber, or agricultural chemical wastes

