

## 37.0 Industrial 1 and 2 Zones

### 37.1 Permitted Activities

**37.1.1** Unless expressly limited elsewhere and subject to compliance with the conditions applying to Permitted Activities the activities listed below shall be permitted without a resource consent.

- Industrial activities.
- Commercial activities.
- Vehicle oriented activities.
- Service activities.
- Warehousing.
- Refuse transfer stations.
- Meat processing - only within Industrial 2 Zone.
- Activities ancillary to industrial activity (including showrooms, shops, offices, accommodation).
- Recreational facilities.
- Temporary buildings.
- Parks, reserves.
- Discharges.
- Hazardous facilities.
- Established helicopter pad - Taylor Pass Road (Location: Designation 58, Appendix B Volume Two, and numerical notation 58, Maps 164 and 165 Volume Three.
- Community facilities.

### Conditions for Permitted Activities

#### 37.1.2 Infrastructure and Services

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##### 37.1.2.1 Parking

Refer to rules relating to Vehicle Parking (Rule 27.2.3).

##### 37.1.2.2 Vehicle Access

37.1.2.2.1 Every parking and/or loading space shall:

- a) Have such dimensions in accordance with Figure 5 of the Transportation Rules. (Refer to General Rules).

- 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 Figures 6 - 9 of the Transportation Rules. (Refer to General Rules).

37.1.2.2.2 In applying the tracking curves:

- a) Where vehicles normally manoeuvre at speeds of less than 10 km per hour a minimum clearance of 300 mm shall be maintained between the vehicle tracking area curve and any fixed object.
- b) Where vehicles normally manoeuvre at speeds greater than 10 km per hour a minimum clearance of 600 mm shall be maintained between the vehicle tracking curve and any fixed object.
- c) For public and customer car parking, the 99 percentile tracking curves shall apply.

37.1.2.2.3 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.

### 37.1.3 Amenities

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#### 37.1.3.1 Noise

All activities shall be conducted so as to ensure that noise arising from such activities does not exceed the following noise limits:

37.1.3.1.1 At or within the boundary of any land zoned Industrial:

65 dBA $L_{10}$	At any time
75 dBA $L_{max}$	On any day between 2200 hrs - 0700 hrs the following day

37.1.3.1.2 At or within the boundary of any land zoned Urban Residential or within the notional boundary of any dwelling on land zoned Rural:

55 dBA $L_{10}$	0700 hrs - 2200 hrs Monday to Friday and 0700 hrs - 1200 hrs Saturday
45 dBA $L_{10}$ , and 70 dBA $L_{max}$	At all other times including any public holiday

Provided on any day between 0700 hrs - 2200 hrs the  $L_{max}$  limit shall not apply.

#### 37.1.3.1.3 Exemption

The noise rules do not apply to the operation of helicopters using the established helicopter pad at Taylor Pass Road, (Location: Designation 58, Appendix B Volume Two, and numerical notation 58, Maps 164 and 165 Volume Three.)

### **37.1.3.2 Lighting**

37.1.3.2.1 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.

37.1.3.2.2 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.

37.1.3.2.3 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 Business.

### **37.1.3.3 Maximum Building Height**

37.1.3.3.1 The maximum permitted height of any building within the Industrial 1 Zone shall be 10 metres.

37.1.3.3.2 The maximum permitted height of any building within the Industrial 2 Zone shall be 15 metres.

### **37.1.3.4 Building Setbacks**

37.1.3.4.1 All buildings shall be setback a minimum of 3 metres from any road boundary.

37.1.3.4.2 All buildings shall be setback a minimum of 3 metres from the boundary of any non-industrial zoned property, except, in the case of an Urban Residential Zone boundary the setback shall be 6 metres.

### **37.1.3.5 Outdoor Storage**

37.1.3.5.1 Any outdoor storage shall be located outside the building setbacks in Rule 37.1.3.4 above.

37.1.3.5.2 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.

### **37.1.3.6 Area to be Landscaped**

37.1.3.6.1 A minimum of 5% of the site shall be set aside and landscaped. All required landscaping areas shall be located between the road frontage and either the front of buildings on the site or the front of the boundary fence, except on rear sites.

37.1.3.6.2 On sites abutting either an Urban Residential Zone or a Business Zone, a screen fence of at least 1.8 metres shall be erected on the common boundary or a landscape strip of a minimum average width of 1.5 metres and a minimum width of 0.6 metres installed.

37.1.3.6.3 Any landscaped areas shall include a landscape 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 or rail corridor from an Urban Residential Zone, Business Zone or Rural 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 or rail corridor.

37.1.3.6.4 Landscape 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.

## **37.1.4 Limitation on Retail Activity**

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Retail sales, excluding those associated with the service station activity, shall comply with the following limitations:

- 37.1.4.1** Within the Industrial 1 Zone, retail activities shall be limited to:
  - 37.1.4.1.1** Those which directly serve industrial activities and workers employed in the industrial area.
  - 37.1.4.1.2** Activities selling goods which are produced or serviced on the site, and which are ancillary to the industrial use of the site.
  - 37.1.4.1.3** Those requiring the outside storage of large bulky items such as building materials, heavy equipment and vehicle sales, or wood and concrete products.
- 37.1.4.2** Within the Industrial 2 Zone, retail activity shall be limited to the sale of goods processed or manufactured on site.

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

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### **37.1.5.1 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.

### **37.1.5.2 Site Design**

- 37.1.5.2.1** 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).
- 37.1.5.2.2** Any part of the site where liquid or solid hazardous substances or environmental damaging substances are stored or otherwise used on site shall be designed, constructed and managed so that the equivalent of the maximum volume of the largest container can be contained and/or otherwise excluded from the stormwater system when a spill occurs.

In areas where drums are stored the volume equivalent shall be half the maximum amount of the material stored.
- 37.1.5.2.3** 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.
- 37.1.5.2.4** All stormwater grates shall be clearly marked.
- 37.1.5.2.5** Sites where above ground and underground tanks for the storage of petroleum products are stored and used, shall be designed, constructed and managed to prevent leaks and spills. Adherence to the Code of Practice for Design, Installation and Operation of Underground Petroleum Systems (Department of Labour - Occupational Safety and Health), "Above-ground Bulk Tank Containment Systems" and "Water Discharge" Environmental Guidelines for the Petroleum Marketing Companies will be deemed to comply with the site conditions.
- 37.1.5.2.6** Any part of the site where liquid or solid hazardous substances or environmentally damaging substances are loaded or unloaded shall have their drainage systems designed, constructed and managed to contain a spill.

37.1.5.2.7 Any part of a site where solid or liquid hazardous substances or environmentally damaging substances are loaded or unloaded shall be designed, constructed and managed to ensure spills can be contained and otherwise excluded from the stormwater system.

37.1.5.2.8 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 designed, constructed and managed so that process effluent (runoff) from the washdown area is either discharged into the grey water system, or collected and stored in tanks for removal by a suitable trade waste contractor.

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

### **37.1.5.3 Waste Management**

37.1.5.3.1 The storage of hazardous waste on the site shall be in suitable containers that are either covered or located in a roofed area.

37.1.5.3.2 A waste audit shall be undertaken for all premises generating waste hazardous substances in volumes greater than 6 m<sup>3</sup>/week.

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

### **37.1.5.4 Fire Safety**

All hazardous facilities where flammable hazardous substances are either used or stored shall have adequate fire safety equipment in place.

### **37.1.5.5 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'.

### **37.1.5.6 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 shall be lodged with the Council.

## **37.1.6 Discharges to Air**

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### **37.1.6.1 Discharge of Electro Magnetic Radiation (EMR)**

The discharge of EMR (Electric Magnetic Radiation) is a Permitted Activity, provided the level of discharge meets the requirement/limitations of NZS 6609.

### **37.1.6.2 Application of Agrichemicals**

The discharge of a contaminant or contaminants onto land or into air in connection with the spray application of agrichemicals on domestic or residential properties or in domestic quantities on industrial and trade premises is permitted provided that the person responsible for the activity shall:

37.1.6.2.1 Apply sprays strictly in accordance with the manufacturers instructions.

- 37.1.6.2.2 Notify the Council immediately in the case of accidental discharge into a water body.
- 37.1.6.2.3 Take all reasonable steps to ensure that no spray drift occurs beyond the boundary of the property.
- 37.1.6.2.4 Apply sprays in a manner which does not cause or is not likely to cause deposition into surface waters.
- 37.1.6.2.5 Apply sprays with hand held equipment only.

#### **37.1.6.3 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.

#### **37.1.6.4 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.

#### **37.1.6.5 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; and
- 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.

#### **37.1.6.6 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

- a) Products of combustion from fuel burning equipment using coal, oil, or untreated wood at a rate not exceeding 40 kilowatts, or
- b) Methane, or natural or liquefied petroleum gas at a rate not exceeding 5 Megawatts

shall be a Permitted Activity provided that:

- c) The discharge is from a chimney or exhaust flue; and
- d) There is no objectionable smoke at or beyond the property boundary; and
- e) Smoke does not adversely affect visibility on any road or in any aircraft flight path; and
- f) There is no objectionable odour at or beyond the property boundary; and

- g) There is no objectionable deposition of particulate matter from smoke onto any land or structure at or beyond the property boundary.

### **37.1.6.7 Discharges Associated with Storage, Transfer and Disposal of Waste**

**37.1.6.7.1** 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.

### **37.1.6.8 Discharges from Particular Industrial or Trade Premises**

The discharges of contaminants into air from:

- a) Premises used for the retail and wholesale distribution of automotive fuels, oils, liquefied gases and gases;
- b) Premises used for the retail and wholesale distribution of fuels used for industrial processing and home heating;
- c) Premises used as or associated with funeral parlours, chapels, stonemasons;
- d) 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;
- e) Premises used for the application of surface coating, including printing or manufacture of packaging materials, and printing of paper;
- f) Premises used for the manufacture of furnishings, clothing, carpets, but excluding rubber underlay;
- g) 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;
- h) Premises used for joinery, including the manufacture, restoration or finishing of furniture and wood crafts, and cabinet making;
- i) Premises used for the operation of dry cleaning, dyeing, laundering and cleaning facilities;
- j) Premises for the manufacture of beverages, including soft drinks, extraction of fruit juices, fermentation of wine, distillation of spirits, and alcoholic beverages;
- k) 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;
- l) Premises used for the processing of food including baking, cooking, freezing and canning, but excluding the production of milk powders;
- m) Premises used for the storage, blending and distribution of bulk products, including fertiliser, animal feeds, roading materials, gardening materials, and concrete processing materials;
- n) Premises used solely for animal slaughtering;

- o) Premises used for the drying of grain and vegetable matter;
- p) Premises used for powder coating and spray painting;
- q) Premises used for the storage of food in refrigerated units;

is a Permitted Activity provided that:

- r) There is no objectionable odour at or beyond the property boundary; and
- s) There is no objectionable deposition of dust at or beyond the property boundary.

### **37.1.6.9 Abrasive Blasting Operations**

**37.1.6.9.1** 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:

- 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 g/m<sup>2</sup> per 30 days at any point beyond the boundary of the subject property.
- 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.

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

- 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 5 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.
- 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.



### **37.1.6.10 Discharges to Land and Water**

#### **37.1.6.10.1 Effluent Disposal**

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

- a) All effluent and greywater is connected to a public system expressly designed for this purpose.

#### **37.1.6.10.2 Trade Waste**

- a) Storage of waste on-site prior to collection shall be in suitable containers that are either covered or located in a roofed area.
- b) For hazardous waste refer to Rule 37.1.5.3.

#### **37.1.6.10.3 Stormwater from Riverlands Industrial 2**

Provision must be made for the satisfactory disposal of all stormwater from Lots 1 & 2 DP 323372, Lots 1, 3 & 4 DP 8762, portions of Lot 1 DP 4447, Lot 9 DP 306716 and Lot 2 DP 379514 (or their successors) in accordance with the requirements of this Plan. The requirements of this Plan are deemed to have been met where:

- a) Stormwater (except sealed down pipe roof water) is connected to a public system designed for this purpose; and
- b) Sealed down pipe roof water is disposed of in the Co-op Drain.

## **37.1.7 Flood Protection/Riparian Management**

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37.1.7.1 All proposed buildings, structures and trees shall be setback a minimum of at least 8 metres from the top of any natural river or stream bank, or wetland, or landward toe of any stopbank.

37.1.7.2 No building activity or earthworks shall take place as a Permitted Activity within any area, identified as a flood hazard by this Plan.

#### **37.1.7.3 Riverlands Industrial 2**

No activity permitted under Rule 37.1.1 is permitted on Lots 1 & 2 DP 323372, Lots 1, 3 & 4 DP 8762, Lot 9 DP 306716, Lot 9 DP 306716 and Lot 2 DP 379514 or their successors, until such a time as river control works to at least a 1% Annual Exceedance Probability (AEP) [that is, to at least a 1 in 100 year return period standard], have been carried out for the Riverlands Co-Op Floodway.

## **37.2 Controlled Activities**

**37.2.1** Application must be made for a resource consent for a Controlled Activity for the following:

- Subject to Rule 37.1.6.6 the discharge into air from an industrial or trade premises, 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 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 Megawattswhere the limits specified in a) and b) above apply to the cumulative generated heat or electric power produced by the specified fuel within the same premises.

**37.2.2** The activity shall be subject to the general conditions applicable to Permitted Activities. An application for a resource consent may be considered without notification or the need to obtain the written approval of affected persons in accordance with Section 94(1)(b) of the Resource Management Act 1991.

### **37.2.3 Standards and Terms**

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- a) The discharge is from a chimney; and
- b) The chimney is designed so that the minimum efflux velocity is 20 metres per second at the chimney exit at full load for sources less than 10 Megawatt capacity, and 15 metres per second for sources equal to or greater than 10 Megawatt capacity; and
- c) 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; and
- d) 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
- e) The minimum chimney height conforms with the requirements in Appendix E.

### **37.2.4 Matters Over Which the 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.

### **37.3 Limited Discretionary Activities**

**37.3.1** Minor non-compliance with the standards for Permitted Activities may be allowed to the extent specified below. Application must be made for a resource consent for a Limited Discretionary Activity for the following:

- Buildings and structures exceeding the maximum permitted height up to a maximum of 20% of the specified standard.
- Building setbacks by up to 20% of the maximum specified standard.
- Parking requirements.
- Landscaping requirements.
- Buildings, structures and trees within 8 metres of a drainage channel or landward toe of any stopbank - up to 100% dispensation.

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

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**37.3.2.1** 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 Rule 37.3.3 below as are relevant to the non-compliance.

**37.3.2.2** 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.

### **37.3.3 Matters to which the Council has Restricted the Exercise of its Discretion**

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

- a) The non-compliance should not diminish the overall character of the locality, including any adjoining residential areas.
- b) The non-compliance should not adversely affect privacy enjoyed on any adjoining residential properties.
- c) The non-compliance should not 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.
- d) The non-compliance should not visually detract from the street in which the site is located.
- e) The non-compliance should not detract from the functioning of the roading networks.
- f) The non-compliance should not adversely affect on-site vehicle manoeuvring or car parking areas or affect the safe flow of traffic on adjoining roads.
- g) The non-compliance should not put at risk any private property from foreseeable flood hazard.
- h) The non-compliance should not interfere with the protection of any natural or any other floodway.
- i) The non-compliance should not adversely affect the hydraulic integrity of any watercourse or stream.

### **37.3.4 Conditions**

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Any resource consent may include conditions relating to any one or more of the following in addition to those matters contained in Section 108 of the Act:

- a) The bulk and location of buildings and structures, including fences.
- b) The protection of public and private amenity values.
- c) The design and appearance of any buildings.
- d) Landscape design and appearance and site layout.
- e) The protection of the roading network and any traffic impacts.
- f) The location of a building with respect to any floodway.
- g) The minimum floor level required to pass a 50 year flood event.
- h) The terms of consent.
- i) Bonds or covenants to secure the performance of consent conditions.

## 37.4 Discretionary Activities

**37.4.1** Application must be made for a resource consent for a Discretionary Activity for the following:

- Activities listed as Permitted or Controlled Activities which do not comply with standards and/or conditions or with the provisions for minor non-compliance dealt with as Limited Discretionary Activities. Except that this provision shall not apply to activities listed as Non-Complying or Prohibited Activities.
- Discharge of effluent other than to a public system.
- Hazardous facilities with an effects ratio of greater than 1.0.
- Emergency service activities.

### 37.4.2 General Assessment Criteria (Pursuant to Sections 67(1)(k) and 75(1)(k) of the Resource Management Act 1991)

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

#### 37.4.2.1 Matters the Subject of Assessment

37.4.2.1.1 Any relevant objectives, policies and rules of this Plan.

37.4.2.1.2 Any relevant objectives, policies and methods of the Marlborough Regional Policy Statement.

##### 37.4.2.1.3 Traffic Generation

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

##### 37.4.2.1.4 Parking

In general a proposal should comply with the standard 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.

##### 37.4.2.1.5 Buildings

These should be of a similar or complimentary 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.

##### 37.4.2.1.6 Noise

Activities shall be conducted so that in general the noise generated shall not exceed the minimum levels specified for Permitted Activities. However with certain activities noise levels above the defined maximum may be acceptable for short periods of time. Individual applicants must demonstrate that the frequency and duration of these noise levels will not adversely affect the amenity of adjoining properties. Detailed measures for the elimination of objectionable or injurious noises may be required.

#### **37.4.2.1.7 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 expected from the processes to be used.
- e) Any alternative processes that may be utilised which would reduce or avoid any airborne contaminants.

#### **37.4.2.1.8 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.

#### **37.4.2.1.9 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.

#### **37.4.2.1.10 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.

#### **37.4.2.1.11 Effect on Natural 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.

#### **37.4.2.1.12 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.

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

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The criteria specified for any particular Discretionary Activity as listed below shall be considered in addition to the General Assessment Criteria set out in Rule 37.4.2.

### **37.4.3.1 Hazardous Facilities**

#### **37.4.3.1.1 Assessment Criteria (pursuant to Sections 67(1) k and 75(1) k of the Resource Management Act 1991)**

- 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.
- j) Consideration of practicable alternative operating methods or sites.

### **37.4.4 Resource Consent Conditions**

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Any resource consent may include conditions relating to one or more of the following in addition to those matters contained in Section 108 of the Act:

- a) The bulk, design, appearance and location of buildings.
- b) The landscape treatment and maintenance thereof.
- c) Access, traffic and parking.
- d) Control of wastes, discharges and hazardous substances.
- e) The protection and enhancement of amenity values.
- f) The protection and enhancement of the quality and quantity of natural waters or water systems.
- g) Financial contributions in accordance with the requirements of the Plan.
- h) Bonds or covenants to secure the performance of consent conditions.

## **37.5 Non-Complying Activities**

- ### **37.5.1**
- Application must be made for a resource consent for a Non-Complying Activity for the following:

- Any activity not provided for as a Permitted, Controlled, Limited Discretionary, Discretionary or Prohibited Activity shall be deemed to be a Non-Complying Activity.
- Within any area identified as a Flood Hazard on the Planning Maps the following are Non-Complying Activities:
  - Any building.
  - Construction of stopbanks, modification of existing stopbanks or deposition of material in ephemeral channels.
  - Construction of impermeable walls, fences or similar structures which would divert water.
  - Any excavation.

## **37.6 Prohibited Activities**

**37.6.1** The following are Prohibited Activities for which no resource consent shall be granted:

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

Note:

In the open means other than in an enclosed incineration device with a chimney.