



INDUSTRIAL ZONE - RULES

IN3.1 Rule Statement

The following rules, shall apply to all land shown as being within the Industrial Zone in the District Plan Maps. These rules shall be read in conjunction with all other rules in the plan and, in particular:

- (a) Transport Infrastructure and Car Park – Rules.
- (b) Subdivision – Rules.
- (c) Signage – Rules.
- (d) Financial Contributions – Rules.
- (e) Hazardous Substances – Rules.
- (f) Relocated Buildings – Rules.
- (g) Special Activities – Rules.
- (h) Natural Hazards – Rules.
- (i) Heritage – Rules.
- (j) District Wide Rules.

Consideration shall also be made to all Objectives and Policies which may be relevant to any proposed activity subject to this section, and in particular those outlined in the Industrial Zone – Policy section.

Advice Note:

Should any human remains or archaeological items be exposed while undertaking works, all activity shall cease immediately. The New Zealand Historic Places Trust and Kaumatua representing the local Tangata Whenua shall be contacted and work shall not recommence in the affected area until any necessary statutory authorisations or consents have been obtained. The NZ Police shall be contacted also when human remains are exposed.

The line owner should be consulted if a building or structure within 20 metres of any power lines is proposed to ensure that compliance with the New Zealand Code of Compliance for Electrical Safe Distances 34:2001 can be achieved.

IN3.2 Rules

IN3.2.1 Permitted Activities

The following activities are Permitted Activities provided they comply with the General Conditions outlined in Section IN3.3 and the relevant Specific Conditions outlined in Section IN3.4 below.

- (a) Industrial Activity.
- (b) Commercial Activity.
- (c) Service Station Activity.
- (d) Earthworks Activity.
- (e) Residential Activity where ancillary to another permitted activity.
- (f) Transfer Station Activity.
- (g) Emergency Services Facilities.
- (h) Domestic Scale Renewable Energy Activity.



IN3.2.2 Controlled Activities

Any activity located within the Racecourse Road Industrial Area in Manunui listed within Rule IN3.2.1 Permitted Activities.

Council has reserved control over the following matters:

- (a) Traffic considerations.
- (b) Infrastructural consideration.
- (c) Financial contributions.

Advice Note:

The provisions of this rule override those in IN3.2.1 (above)

IN3.2.3 Restricted Discretionary Activities

The following activities are Restricted Discretionary Activities.

Applications will be assessed and conditions imposed only in respect of the subject matter of the Assessment Criteria noted below the General or Specific Condition(s) with which the activity is unable to comply.

- (a) Any activity that is provided for as a Permitted Activity by Rule IN3.2.1 but fails to meet one or more of the General Conditions outlined in Section IN3.3 or the Specific Conditions outlined in Section IN3.4 excluding:
 - (i) Transfer Station Activities.

IN3.2.4 Discretionary Activities

The following activities are Discretionary Activities.

Applications will be assessed against, but not limited to, the relevant Assessment Criteria outlined in Section IN3.5 below.

- (a) Any land use or activity not specifically referred to in Rules IN3.2 Relevant Objectives and Policies – IN2.2, IN2.3 and IN2.4.
- (b) Any Transfer Station Activity that is provided for as a Permitted Activity by Rule IN3.2.1(f) but fails to meet one or more of the General Conditions outlined in section IN3.3 or the Specific Conditions outlined in section IN3.4.
Relevant Objectives and Policies – IN2.2, IN2.3.

IN3.2.5 Non-Complying Activities

The following activities are Non-Complying Activities.

Applications will be assessed against, but not limited to, the relevant Assessment Criteria outlined in Section IN3.5 below.

- (a) Residential Activity not ancillary to a permitted activity
Relevant Objectives and Policies – IN2.2, IN2.4, and IN2.5.
- (b) Visitor Accommodation Activity
Relevant Objectives and Policies – IN2.2, IN2.4, and IN2.5.



- (c) Recreation and Community Activity
Relevant Objectives and Policies – IN2.2, IN2.4, and IN2.5.
- (d) Education Activity
Relevant Objectives and Policies – IN2.2, IN2.4, and IN2.5.
- (e) Rural Activity
Relevant Objectives and Policies – IN2.2, IN2.4, and IN2.5.
- (f) Forestry Activities
Relevant Objectives and Policies – IN2.2, IN2.4, and IN2.5.

IN3.3 General Conditions

Compliance with the following General Conditions is required for all Permitted Activities as outlined in Rule IN3.2.1 above.

IN3.3.1 Height

- (a) No part of any building shall exceed a height of 2m plus the horizontal distance from the nearest Residential, Urban Settlement or Protected Areas Zone and shall not exceed a maximum height of 15m.
- (b) No part of any building located on Lot 1 DP 378657 (Valuation 12721/180.01 State Highway 1, Waiouru) shall exceed a height of 2m plus the horizontal distance from the Rural Zone and shall not exceed a maximum height of 15m

Relevant Assessment Criteria: IN3.5.1(a) and (b).

IN3.3.2 Yards

- (a) The minimum yards provided on a site that adjoins a Residential, Urban Settlement or Protected Areas Zone shall be 6m only on that boundary which adjoins a Residential, Urban Settlement or Protected Areas Zone.
- (b) The minimum yards for Lot 1 DP 378657 (Valuation 12721/180.01 State Highway 1, Waiouru) shall be 6m only on that boundary which adjoins the Rural Zone.

Relevant Assessment Criteria: IN3.5.1(c) and (m).

Advice Note:

Where a site is classed as a rear site, the rear yard setback is applicable along all boundaries (see definition of Yard for further clarification).

IN3.3.3 Lighting and Glare

- (a) The spill of light onto any site within the Residential, Urban Settlement or Protected Areas Zone shall not exceed 3 lux (horizontal and vertical) when measured at or within the boundary of any other site so zoned.
- (b) The spill of light onto any site (except for those in the Residential, Urban Settlement or Protected Areas Zone) shall not exceed 10 lux (horizontal and vertical) when measured at or within the boundary of any other site so zoned.



- (c) Street lights are exempt from the requirements of this Condition.

Relevant Assessment Criteria: IN3.5.1(d).

IN3.3.4 Screening

- (a) Where any outdoor storage, service or parking area adjoin or directly face land that is within the Residential, Urban Settlement or Protected Areas Zone, such areas should be screened from the Residential, Urban Settlement or Protected Areas Zone by a solid wall or close boarded fence not less than 1.5m in height, and/or densely planted with vegetation and shrubs that will screen the areas during all seasons of the year.
- (b) Within Lot 1 DP 378657 (Valuation 12721/180.01 State Highway 1, Waiouru), where any outdoor storage, service or parking area adjoin or directly face the Rural Zone, such areas should be screened from the Rural Zone by a solid wall or close boarded fence not less than 1.5m in height, and/or densely planted with vegetation and shrubs that will screen the areas during all seasons of the year.

Relevant Assessment Criteria: IN3.5.1(e) and (m).

IN3.3.5 Noise

- (a) All activities must at the zone boundary comply with the appropriate noise control standards specified for any permitted activity in the adjacent zone, if there are any.
- (b) All activities on Lot 1 DP 55624 in the Industrial Zone in Ohakune located adjacent to River Road, Old Station Road and Kowhai Crescent on sites that are not within the Kowhai Industrial Zone Noise Overlay Area, must comply with the following noise limits measured at 1.5m above ground level within the Kowhai Residential Area.
- (i) 7.00am to 8.00pm – 55dBA L_{eq} ;
- (ii) 8.00pm to 7.00am – 45dBA L_{eq} ;
- (iii) 8.00pm to 7.00am – maximum noise 70dB L_{AFmax} .
- (iv) Measurement and assessment of noise levels shall be in accordance with New Zealand Standards NZS 6801:2008 *Acoustics – Measurement of Environmental Sound* and NZS 6802:2008 *Acoustics – Environmental Noise*.

Relevant Assessment Criteria: IN3.5.1(f) and (m).

IN3.3.5A Noise in Kowhai Industrial Zone Noise Overlay Area

- (a) Within the Kowhai Industrial Zone Noise Overlay Area in Ohakune, the noise generated by all activities must, within the boundary of any other site located within the Overlay Area, comply with the following noise limits:
- (i) 7.00am to 8.00pm – 60dBA L_{eq}
- (ii) 8.00pm to 7.00am – 50dBA L_{eq}



IN3.3.6 Odour

- (a) There shall be no offensive odour able to be detected at the boundary of any adjacent zone. For the purpose of this condition, an offensive odour is defined as that which can be detected and is defined as offensive by two observers, including at least one Council Officer.

Relevant Assessment Criteria: IN3.5.1(g) and (m).

IN3.3.7 Transportation

- (a) All activities shall demonstrate compliance with the relevant provisions of the “Transport Infrastructure and Car Parking - Rules” section of the District Plan.

Relevant Assessment Criteria: Refer “Transport Infrastructure and Car Parking - Rules” section.

IN3.3.8 Dust

- (a) Activities must not create a dust nuisance to any site outside of the Industrial Zone. A dust nuisance will occur if:
- (i) There is visible evidence of suspended solids in the air on any site outside of the Industrial Zone; and/or
 - (ii) There is visible evidence of suspended solids traceable from a dust source settling on the ground, building or structure on any site outside of the Industrial Zone.

Dust nuisance will be determined by a Council Officer, taking into account the frequency, intensity, duration, nature and location of the dust nuisance and any previously validated dust complaints relating to the same site.

Relevant Assessment Criteria: RE3.5.1(q).

IN3.3.9 Landscaping – Industrial Area, Racecourse Road, Manunui

A 5m wide landscaped strip shall be planted and/or maintained along the northern boundary of the Industrial Area adjoining Racecourse Road, where the sites adjoin the Railway Corridor. The planting shall be designed to screen views of the site from the road and neighbouring residential properties. In addition, plants will be located to ensure that neither the roots nor branches create issues for the rail corridor.

Relevant Assessment Criteria: IN3.5.1(e).

Advice Note: Archaeological

If it is possible that archaeological sites may be affected by the proposed work then the site is subject to a consenting process under the Historic Places Act 1993.

Evidence of archaeological sites may include burnt and fire cracked stones, charcoal, rubbish heaps including shell, bone and/or glass and crockery, ditches, banks, pits, old building foundations, artefacts of Māori and European origin or human burials.

If any activity associated with this proposal, such as earthworks, fencing or landscaping may modify, damage or destroy any archaeological site(s) an authority (consent) from the New Zealand Historic Places Trust must be obtained for the work prior to commencement. It is an offence to modify, damage or destroy a site for any purpose without an authority. The Historic Places Act 1993 contains penalties for



unauthorised site damage. The applicant is advised to contact the New Zealand Historic Places Trust for further information.

Human Remains or Archaeological Items

Should any human remains or archaeological items be exposed while undertaking works, all activity shall cease immediately. The New Zealand Historic Places Trust and Kaumatua representing the local Tangata Whenua shall be contacted and work shall not recommence in the affected area until any necessary statutory authorisations or consents have been obtained. The NZ Police shall be contacted also when human remains are exposed.

Discharges to Storm water:

Rules 13-15 and 13-17 of the Regional Council's One Plan control discharges to storm water from Industrial or Trade Premises. In addition, the One Plan contains rules relating to discharges to air, and other discharges to water. Any development is also required to comply with the requirements of the One Plan, or seek consent from the Regional Council.

IN3.4 Specific Conditions

The following Specific Conditions shall apply to the Permitted Activities specified below. Where these Specific Conditions differ from the requirements of the General Conditions in Section IN3.3 above, the Specific Condition shall be applicable.

IN3.4.1 Commercial Activities

- (a) Scale
 - (i) Commercial Activities shall be permitted provided that the land use or activity shall be accessory and secondary to an industrial activity which is legally established on the site.
 - (ii) No more than 25% of the Gross Floor Area, or not more than 200m² of outdoor display area which ever is the lesser; and
 - (iii) A lunch bar or takeaway shall not be greater than 100m² in total area and shall service the surrounding industrial area.

Relevant Assessment Criteria: IN3.5.1 (h), (p) and (q).

IN3.4.2 Earthworks Activities

- (a) Noise
 - (i) Noise from earthworks shall comply with Condition IN3.3.5.
 - (ii) Earthworks shall only occur between 7.00am and 8.00pm Monday to Saturday inclusive, excluding public holidays.
- (b) Appearance
 - (i) All earthworks sites adjacent to a Residential, Urban Settlement or Protected Areas Zone shall be kept tidy and be reinstated as soon as practicably possible so as to avoid a prolonged visual change in the character of the area.
- (c) Separation
 - (i) No earthworks activity, including stockpiling, shall occur within 20m of the banks of a waterbody.
- (d) Volume
 - (i) No more than 50m³ of material measured in its non-compacted form, within one certificate of title, shall be removed from or relocated within the site, in any calendar year unless the



- earthworks are identified in and provided for through and approved subdivision or land use consent.
- (e) Vegetation Removal
 - (i) Where vegetation clearance occurs in association with earthworks, disturbed areas shall be re-vegetated within 12 months of the earthworks being undertaken.
 - (f) Standards
 - (i) All earthworks shall comply with the requirements of NZS 4431:1989 “Code of Practice for earth fill for residential development”.

Advice Notes:

Any earthworks, soil sampling or the removal of fuel storage systems on land which could be potentially contaminated (see HAIL list at www.mfe.govt.nz) needs to be assessed in relation to the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health.

Any person undertaking earthworks also needs to comply with the requirements of the New Zealand Electrical Code of Practice (NZECP) 34:2001 or any subsequent amendment.

The New Zealand Electrical Code of Practice provides for statutory safe separation distances from electrical lines. The code sets out the minimum separation distances for excavation and construction near conductors and their support structures (towers and poles). The primary purpose of these distances is to protect persons and property from harm caused by electrical hazards, such as flashovers.

Consent may be required from the Regional Council for earthworks and/or vegetation clearance.

Relevant Assessment Criteria: IN3.5.1 (i) and (m).

IN3.4.3 Residential Activities

- (a) Residential Activities
 - (i) Not more than one residential unit shall be permitted per site.
 - (ii) Each residential unit shall be provided with a minimum outdoor living space of 50m² being able to accommodate a 5m diameter circle situated adjacent to the principal living area of the residential unit.
 - (iii) Each residential unit shall be provided with a minimum of 5m² of open space per dwelling that is able to accommodate a 2m diameter circle for storage and service purposes.
 - (iv) Any outdoor living or open space provided may be established inclusive of the yard requirements but exclusive of any access space.
- (b) Acoustic Insulation
 - (i) Residential buildings shall be designed to meet the following internal noise standards with the doors and windows closed:
 - (1) Habitable rooms at all times: 45 dBL_{Aeq} (15 min).
 - (ii) Residential buildings will be required to have forced air ventilation so the occupants do not need to open windows in habitable rooms. The abovementioned noise limits will be required to be achieved while the forced air ventilation is in operation.
 - (iii) An acoustic design report prepared by a person suitably qualified person, shall be provided to demonstrate compliance with the abovementioned noise limits.

Relevant Assessment Criteria: IN3.5.1 (j), (k), (l), (m) and (q).

IN3.4.4 Transfer Station Activities

- (a) Separation



- (i) All transfer station activities shall have minimum side, front and rear yards of 5m.
- (b) Relationship
 - (i) Any transfer station activity shall be principally based on the storage of refuse material from the adjacent community.
- (c) Screening
 - (i) Where any transfer station activity adjoins or directly faces land that is within the Residential, Urban Settlement or Protected Areas Zone, such areas shall be screened from the Residential, Urban Settlement or Protected Areas Zone by a solid wall or close boarded fence not less than 1.8m in height, and/or densely planted with vegetation and shrubs that will screen the areas during all seasons of the year.
- (d) Size
 - (i) The maximum area used for a transfer station activity, including the landscaped area shall be 2,500m², excluding yard requirements.
- (e) Traffic
 - (i) No transfer station activity shall gain practical access from a State Highway.

Relevant Assessment Criteria: IN3.5.1(c), (e), (m) (n) and (o).

IN3.4.5 Emergency Services Facilities

- (a) Noise
 - (i) Subject to the best practicable option always being adopted to minimise noise levels, emergency service sirens and call-out sirens for volunteer brigades shall not be subject to the noise limits outlined in Section IN3.3.5.

Relevant Assessment Criteria: IN3.5.1(f) and (m).

IN3.4.6 Domestic Scale Renewable Energy

- (a) Shall not exceed the height limit for the Zone by more than 3m.
- (b) Limited to two mini wind turbines per site.
- (c) No turbine shall have a generating capacity of more than 10kW.

Relevant Assessment Criteria: IN3.5.1(b) and (f).

IN3.5 Assessment Criteria

IN3.5.1 Controlled Activities

Controlled Activities will be assessed against the assessment criteria listed below:

- (a) Effects of the development on the safe and efficient functioning of the road network, including the State Highway.
- (b) Any additional demands the development is likely to place on infrastructural capacity.
- (c) The need for financial contributions to address effects associated with the development.

IN3.5.2 Restricted Discretionary, Discretionary and Non-Complying Activities

Restricted Discretionary Activities will be assessed only in respect of the Relevant Assessment Criteria applicable to the Conditions with which the activity was unable to comply.



Discretionary and Non-Complying Activities will be assessed against, but not limited to, the assessment criteria below.

Reference to relevant assessment criteria in other sections of the District Plan may be required as stated for the General and Specific Conditions above.

- (a) The extent to which tall buildings or structures will impact upon neighbouring sites, in terms of:
 - (i) Access to sunlight.
 - (ii) Privacy.
 - (iii) The ability to operate existing industrial activities.
- (b) Whether tall buildings or structures have a negative impact upon the amenity and character of surrounding environment.
- (c) Whether a sufficient buffer of industrial activities or transfer station activities can be provided to ensure that the amenity and character of surrounding activities is maintained and to avoid conflicts of use.
- (d) The extent to which nuisance effects of lighting shall be avoided, remedied or mitigated.
- (e) The ability of screening to provide a buffer of activities and buildings that are not consistent with the character and amenity of the Residential, Protected Areas or Urban Settlement Zone.
- (f) Whether activities are located so that noise levels are not generated to an unreasonable degree, inconsistent with the character of the existing noise environment. In the case of Emergency Services Facilities, the essential and temporary nature of the noise shall be taken into consideration.
- (g) The ability of the activity to be located to avoid offensive odour being discernable beyond the boundary of the site to an unreasonable degree. Consideration will be given to the frequency, duration, nature and location of odour sources.
- (h) The extent to which commercial activities have a relationship with the Industrial Zone and/or industrial activities.
- (i) Whether earthworks can be undertaken in a manner that will ensure:
 - (i) Access to and along watercourses and waterbodies is maintained.
 - (ii) Visual impacts, effects on surface drainage patterns, any likely sedimentation or dust nuisance, or adverse effects on adjoining buildings and properties are avoided.
- (j) The extent to which residential activities have a relationship with the Industrial Zone and/or industrial activities.
- (k) The extent to which provision has been made for outdoor living areas and service areas for residential activities.
- (l) The extent to which residential buildings can be insulated to mitigate the effects of high background noise levels.
- (m) Whether remediation and/or mitigation measures are proposed and the effectiveness of such measures.
- (n) Whether the activity will have legal, practical and physical access to Council's roading network to allow the site to be used for a range of activities.
- (o) Whether smoke, fumes, dust and odour arising from the activity will create a nuisance for any adjoining property.
- (p) Whether traffic associated with the activity is likely to result in traffic conflicts, for example, between heavy vehicles accessing industrial premises and commercial or residential traffic.
- (q) Whether the establishment of the activity is likely to result in reverse sensitivity issues, for example, noise or dust complaints.