



4C. Amenity

Explanatory statement

Activities can be offensive because of the nature of the activity and the sensitivity of the surrounding environment. In both cases Council wishes to manage and reduce adverse effects to maintain and enhance amenity values and the quality of the environment. Managing the effects of activities may give greater flexibility in location but it will only be to the degree that the character of the environment is retained. In particular the amenity of any zone should not be adversely affected by the location of out-of-character activities.

The distinction between Permitted, Controlled and Discretionary Activities is largely related to the known adverse effects of activities that are not of appropriate character ie. activities that congregate more people, operate during evening hours, generate more traffic or create greater noise.

4C.1 Noise and vibration

Explanatory statement

Council's aim is to maintain a reasonable balance between the objective of maintaining a high quality living environment free from intrusive noise and the need to recognise that some reduction in environmental quality is inevitable in close proximity to lawfully established industrial uses and that higher than normal noise levels are also acceptable when they occur on a temporary or infrequent basis as part of the accepted management of the principal activity, e.g. farming.

In some areas the loading/unloading of materials at night and the movement on-site of vehicles 24 hours a day is an issue for adjoining landowners. The noise levels of the District Plan are intended to control this type of adverse effect.

Vibration from activities has not been an issue in the District. In many cases Council can manage vibration effects through the management of noise emissions or through the provisions of the Health Act. Specific standards to manage vibration are therefore not proposed.

4C.1.1 Significant issues

1. The potential for the operation of non-residential activities within residential areas to generate noise which detracts from existing amenity.
2. The potential for the operation of non-rural activities in rural and isolated natural environment areas to generate noise which detracts from existing amenity.
3. The potential for Permitted Activities within one zone to generate noise which detracts from the existing amenity of nearby zones.



4C.1.2 Objectives and policies

4C.1.2.1 Objective

An environment free from intrusive noise and vibration.

4C.1.2.2 Policies

1. Ensure activities do not generate noise levels inconsistent with the amenity of the locality in which the generated noise can be discerned.
2. Exempt from the maximum permitted noise level requirements those activities which are an integral part of accepted management practices associated with primary production in rural areas as well as other activities clearly of a temporary nature (e.g. construction works, military training exercises).
3. Have regard to any relevant New Zealand standards, guidelines, or codes of practice in the assessment of applications for resource consents.

4C.1.3 Activity Performance Standards

The following performance standards shall be met by all Permitted and Controlled Activities and shall be used as a guide for all other activities. Any Permitted Activity which fails to comply with any of these standards shall be deemed a Discretionary Activity for the particular non-compliance.

4C.1.3.1 Construction noise

Construction noise shall not exceed the noise limits in, and shall be measured and assessed in accordance with the requirements of NZS 6803: 1999 Acoustics –Construction Noise.

4C.1.3.2 Noise limits

(a) **Noise limits for activities in Residential, Rural-Residential, Future Urban and Rural Zones**

All activities located within these zones shall be so conducted as to ensure that noise from the site shall not exceed the following noise limits within the stated timeframes at any point within the notional boundary of any dwelling in a Rural Zone or a Rural-Residential Zone, or at any point within the boundary of any property within a Residential or Future Urban Zone (other than the site of the activity).

Time Period		Sound Level Not to be Exceeded	
Day	Hours	L10	Lmax
Monday to Saturday	7am to 10pm	50dBA	N/A
Sunday	7am to 6pm	50dBA	N/A
At all other times and on public holidays		40dBA	65dBA



(b) **Noise limits for activities in Industrial and Commercial Zones**

- (i) All activities located within Industrial and Commercial Zones shall be so conducted as to ensure that noise from the site shall not exceed the following noise limits within the stated timeframes at any point within the notional boundary of any dwelling in a Rural Zone or Rural-Residential Zone, nor at any point within the boundary of any property within a Residential or Future Urban Zone:

Time Period		Sound Level Not to be Exceeded	
Day	Hours	L10	Lmax
Monday to Saturday	6am to 10pm	55dBA	N/A
Sunday	9am to 6pm	55dBA	N/A
At all other times and on public holidays		45dBA	70dBA

- (ii) Noise from activities on any site within an Industrial Zone, measured at or within the boundary of any other site in the zone, shall not exceed 65dBA (L10) at all times.
- (iii) Noise from all activities shall comply at all times with the above noise limits, whichever is the stricter.

(c) **Noise limits for activities in the Post Harvest Zone**

All activities located within the Post-Harvest Zone shall be conducted so as to ensure that noise from the zone shall not exceed the following noise limits within the notional boundary of any dwelling in a Rural Zone or Rural-Residential Zone, nor at any point within the boundary of any property within a Residential or Future Urban Zone:

- L10 55dBA
- Lmax 70dBA

(d) **Noise sensitivity**

- (i) For potentially noise-sensitive activities such as commercial offices, places of assembly, medical, veterinary or scientific facilities and dwellings and accommodation facilities, an acoustic design certificate shall be provided at the time of building consent demonstrating the building has been designed so that the internal noise limits set out in the following table are not exceeded.
- (ii) Where windows and doors must be closed in order to meet the internal noise standards, an alternative means of ventilation shall be provided which meets all relevant requirements of the Building Code.



	Sound Level Not to be Exceeded	
	Daytime period	Night time period
	L10	L10
Offices not accessory to any industry, storage or warehousing	45dBA	N/A
Residential units (habitable spaces)	45dBA	30dBA

(e) **Acoustic certification**

The following provisions shall apply to Industrial Zoned sites that are either:

- (i) within 100m of a dwelling in the Rural Zone that existed as at December 2005, or
- (ii) within 200m of a dwelling within the Rangioru Business Park that existed as at December 2005
- (iii) Those lots within the Te Puke West Industrial Zone that are within 50m of Manoeka Road as indicated on the Te Puke West Structure Plan

Prior to commencement of activities on the site or building consent being approved an acoustic design report prepared by a suitably qualified and experienced acoustical engineer may be required by the Consent Authority. The report shall outline the range of activities, their potential noise levels and any noise mitigation/management measures which will be implemented to ensure compliance with the relevant noise performance standards

(f) **Miscellaneous provisions**

- (i) The noise levels set out in 4C.1.3.2 (a) – (e) above may be exceeded where the written approval is provided by all owners or occupiers of those properties or dwellings subject to the non-compliance.
- (ii) All noise levels shall be measured and assessed in accordance with the requirements of NZS6801:2008 Measurement of Sound and NZS6802:2008 Assessment of Environmental Sound.
- (iii) The noise shall be measured with a sound level meter complying with the International Standard IEC 651 (1979): Sound Level Meters, Type 1.

4C.1.3.3 Exemptions from noise limits

(a) **Exemptions from noise limits for short-term activities**

Subject to Rule 4C.1.6, the noise limits in Rule 4C.1.3.2 shall not apply to temporary or short-term activities as listed below, provided that the best practicable option pursuant to Section 16 of the RMA and manufacturers specifications for machinery, shall be adopted to ensure noise received off-site is reasonable.



The exemptions do not apply to long-term activities, and in the case of residential activities apply to domestic activities rather than commercial or business activities carried out from residential premises.

(b) **Exemptions for residential activities in all zones**

- (i) Warning Devices used by Emergency Services.
- (ii) Short-term domestic activities e.g. lawn mowing.

(c) **Exemptions for rural activities in Rural Zones**

- (i) Warning Devices used by Emergency Services.
- (ii) Activities required for primary production activities, including agricultural/horticultural vehicles and equipment; aircraft used for agricultural/horticultural purposes; and portable equipment (excluding portable sawmills and frost protection fans) associated with agricultural/horticultural activities such as: spraying; harvesting, etc;
- (iii) Livestock;

(d) **Other exemptions**

- (i) Noise from construction, maintenance and demolition (see Rule 4C.1.3.1);
- (ii) Temporary Military Training Activity.
- (iii) Temporary Activities (see Rule 4A.2.3.1 (iv))

- (e) Noise from traffic on public roads that are legally formed and maintained is exempt from the zone rules of the District Plan.

Note: Some roads may have specific conditions imposed by resource consent or designation.

4C.1.3.4 Noise measurement and assessment

- (i) For the purposes of Rule 4C.1.3.2, subject to the express provisions of these rules, sound levels should be measured in accordance with the requirements of NZS 6801:1999 Measurement of Environmental Sound, and assessed in accordance with the requirements of NZS6802:1991 Assessment of Environmental Sound.



- (ii) The adjustment for special audible characteristics provided for in Clause 4.4 of NZS 6802:1991 shall apply when special audible characteristics are present, and shall have the effect of imposing L10 noise limits which are 5dBA more stringent than the noise limits specified in these rules (e.g. 55 dBA becomes 50dBA).

Information note:

Council may require any Discretionary or Non-Complying resource consent application in any zone to provide as part of the resource consent documentation evidence from an appropriately qualified independent person that the proposal shall comply with the District Plan noise levels for the site. Council shall consider the noise insulation methods associated with the use of generators, fans, blowers, refrigeration equipment, forklifts, outdoor loading operations, and any activity that operates between 7.00pm and 7.00am.

4C.1.3.5 Frost protection fans – Performance Standard for Permitted Activity

Frost protection fans (including portable non-fixed type) shall be a Permitted Activity subject to the relevant performance standards of the underlying zone. Should the fan not comply with the relevant noise standards the activity shall default to be considered as a Controlled or Restricted Discretionary Activity as detailed in 4C.1.4.1 and 4C.1.5.1.

4C.1.3.6 Frost protection fans – Performance Standard for Controlled Activity

- (a) Noise from the operation of frost protection fans shall not exceed the following noise limits at any point within the notional boundary of any dwelling in a Rural Zone, nor at any point within the boundary of any property within a Residential, Rural-Residential or Future Urban Zone:

Receiver	Time Period	Sound Level Not to be Exceeded	
		L10	Lmax
Rural dwellings (within the notional boundary, and any property within a Residential, Rural-Residential or Future Urban zone)	All days 10 pm to 8 am	55dBA	65dBA

- (b) The overall height for the fan including the fan blade shall not exceed 15m.

Note : Fan Type - The distance required to achieve 55dBA will vary depending on the noise performance of the frost protection fan. Applications for resource consent must be supported with evidence identifying the noise performance of the fan to be used.

4C.1.3.7 Frost protection fans – Performance Standard for Restricted Discretionary Activity

Any application for a frost protection fan that exceeds the District Plan standards noise levels but is no greater than 60dBA (L10) and 70dBA (Lmax) and the only persons affected who have not provided written consent are in a Rural Zone the application shall fall to be considered as a Restricted Discretionary Activity.



4C.1.4 Matters of control - Controlled Activities

4C.1.4.1 Frost protection fans

- (a) Without limitation, Council will assess the proposed model of fan(s), location(s), possible alternatives, and any proposed noise mitigation measures.

Note: Dwellings on the same lot as the fan are excluded from the noise controls. Rural dwellings, rural lots without dwellings, or properties within a Residential, Rural-Residential or Future Urban Zone are also excluded if the persons affected have signed a written consent form that has been lodged with the Council.

Where all written approvals have been obtained notification shall not be required and no other person will be required to have notice served upon them.

4C.1.5 Matters of discretion

4C.1.5.1 Restricted Discretionary Activity - frost protection fans

Council shall restrict its discretion to ensuring that the use of the frost fan represents the Best Practicable Option.

In determining what is the Best Practicable Option any application should address as a minimum; noise levels, alternative options (including other forms of frost protection, fan type, tonal quality, blade type, engine speed, location on the property), effectiveness of each option, affordability, cumulative effects of existing machines in the vicinity, effect on established land uses and proposed mitigation.

Notification of the application is not required. For the purposes of identifying affected persons, written approval shall be required from persons who will experience noise levels above 55dBA (L10). Should any written approvals not be obtained from any affected persons notice will be served on those persons.

4C.1.6 Other methods

- (a) **Application of other statutory powers**
Notwithstanding the foregoing clauses the Council reserves the right to use its more general statutory and regulatory powers (e.g. under relevant resource management, environmental, and health legislation and Council's own bylaws) to exercise appropriate control over noise in the environment.
- (b) **Vibration**
Where significant vibration effects are experienced Council may deal with the matter as a nuisance under the Health Act.



4C.2 Storage and disposal of solid waste

Explanatory statement

Council wishes to more effectively manage the private storage and disposal of solid waste as an adjunct to its Solid Waste Management Strategy. Provision is made to enable on-site storage and disposal of non-toxic or non-hazardous solid wastes without a resource consent subject to meeting performance standards designed to mitigate any potential adverse effects.

The disposal of hazardous substances unless properly managed can cause major adverse environmental effects. Accordingly provision is made to dispose of such materials at authorised facilities only.

4C.2.1 Significant issue

The potential for the storage and disposal of solid wastes to generate adverse environmental effects, for example odour, vermin, visual intrusion and litter.

4C.2.2 Objectives and policies

4C.2.2.1 Objective

An environment free from the adverse effects of the storage and disposal of solid wastes.

4C.2.2.2 Policy

Ensure the storage and disposal of solid wastes does not generate adverse environmental effects.

4CB.2.3 Activity lists

4C.2.3.1 Permitted Activities

- (a) Disposal on private land (ie. not to a community solid waste management site) of the following solid waste materials:
 - (i) cleanfill (subject to Bay of Plenty Regional Council control).
 - (ii) organic waste (e.g. shelter trimmings, home composting) that originates from the site itself.

4C.2.3.2 Discretionary Activities

Storage or disposal on private land (ie. not to a community solid waste management site) of solid waste that is not derived from the site on which it is located, whether man-made or natural.



4C.2.4 Activity Performance Standards

4C.2.4.1 General

The following performance standards shall be met by all Permitted and Controlled Activities and shall be used as a guide for all other activities. Any Permitted Activity which fails to comply with any of these standards shall be deemed a Discretionary Activity for the particular non-compliance.

(a) **Screening**

All stand alone or ancillary outdoor solid waste storage and disposal areas shall be screened from adjacent Residential, Future Urban, Rural-Residential and Rural Zones and recreation reserves and the public road. Screening shall be as required in Section 4C.5

(b) **Wind mitigation**

All solid waste material shall be stored and disposed of in a manner that ensures it will not be blown beyond the boundaries of the site.

(c) **Disposal of hazardous substance**

The disposal of hazardous substances exclusive of that from dwellings shall be to authorised Community Solid Waste Management Sites.

4C.2.5 Matters of discretion

4C.2.5.1 Discretionary Activity criteria

The matters that Council will take into account include but are not limited to;

- (a) The existing amenity of the surrounding environment
- (b) Proximity of the site to public roads and services.

4C.3 Lighting and welding

Explanatory statement

Lighting and welding can have adverse effects on visual and amenity values. In particular the residential and rural environments should be protected from adverse lighting and welding effects. In addition, lighting can also create traffic safety issues, which should be avoided. Objectives, policies and rules are required to ensure that appropriate limits are applied to Permitted Activities and that appropriate assessment criteria are included for resource consent applications.

4C.3.1 Significant issues

1. Indiscriminate lighting can have an adverse effect on adjacent properties, particularly in residential and rural areas, and on the safety of traffic movement on public roads.



2. The extension of leisure activities into the evening hours and the presence of more commercial and industrial activities in residential and rural areas has increased the demand for outdoor lighting and the potential for adverse effects on adjacent properties.

4C.3.2 Objectives and policies

4C.3.2.1 Objective

An environment free from the adverse effects of intrusive lighting and welding.

4C.3.2.2 Policy

Ensure that floodlights, security lights and welding do not detract from the amenity values of other properties, or compromise traffic safety.

4C.3.3 Activity Performance Standards

The following performance standards shall be met by all Permitted and Controlled Activities and shall be used as a guide for all other activities. Any Permitted Activity or Controlled Activity, which does not meet the performance standards, shall be deemed a Restricted Discretionary Activity and be assessed in accordance with the Restricted Discretionary Assessment Criteria.

4C.3.3.1 Spill light: day time standards

- (a) A person shall not use on any premises between the hours of 7am to 10pm any artificial lighting in such a manner that the use of such lighting causes an added illuminance in excess of 10lux, measured horizontally or vertically at any point on or directly above the boundary of any land which is zoned Rural, Rural Residential, Future Urban or Residential.
- (b) A person shall not use on any premises between the hours of 7am to 10pm any artificial lighting in such a manner that the use of such lighting causes an added illuminance in excess of 100lux, measured horizontally or vertically at any point on or directly above the boundary of any land which is zoned Commercial or Industrial.

4C.3.3.2 Spill light: night time standards

- (a) A person shall not use on any premises between the hours of 10pm to 7am the following day and artificial lighting in such a manner that the use of such lighting causes an added illuminance in excess of 1lux, measured horizontally or vertically at any point on or directly above the boundary of any adjacent land which is zoned Rural, Rural-Residential or Future Urban.
- (b) A person shall not use on any premises between the hours of 10pm to 7am the following day and artificial lighting in such a manner that the use of such lighting causes an added illuminance in excess of 2lux, measured horizontally or vertically at any point on or directly above the boundary of any adjacent land which is zoned Residential.



- (c) A person shall not use on any premises between the hours of 10pm to 7am any artificial lighting in such a manner that the use of such lighting causes an added illuminance in excess of 25lux, measured horizontally or vertically at any point on or directly above the boundary of any adjacent land which is zoned Commercial or Industrial.
- (d) A person shall not use on any premises between the hours of 10pm to 7am any artificial lighting in such a manner that the use of such lighting causes an added illuminance in excess of 35lux measured horizontally or vertically at any point on or directly above a street kerb line.

Added illuminance means that added by the use of the artificial lighting in question above the background lighting level in the absence of that artificial lighting. In circumstances where measurements of any added illuminance cannot be made due to the fact that the owner will not turn off artificial lighting, measurements may be made in areas of a similar nature which are not affected by the artificial light. The result of these measurements may be used for the purposes of determining the effect of the artificial light.

4C.3.3.3 Glare: day time standards

The exterior lighting on any property in the vicinity of a road or land on which there is a residential use shall be so selected, located, aimed, adjusted and screened as to ensure that the maximum luminous intensity emitted by any one luminaire does not exceed the limits listed in the following table;

Description		
Size of Area	Controlling dimension (Refer Fig 5.1 of AS 4282)	Maximum Intensity *
Large	>75m	7,500 cd
Medium	>25m <75m	7,500 cd
Small	<25m	2,500 cd

** Only Level 1 control luminaires are to be used (refer AS 4282 Table 2.2. Note 1)*

This table is adapted from Table 2.2 Australian Standard AS4282 – 1997 (Control of the Obtrusive Effects of Outdoor Lighting). Section 5 of AAS 4284 – 1997 can be used to determine the luminous intensity.

4C.3.3.4 Glare: night time standards

The exterior lighting on any property in the vicinity of a road or land on which there is a residential use shall be so selected, located, aimed, adjusted and screened as to ensure that the maximum luminous intensity emitted by any one luminaire does not exceed the limits listed in the following table;



Conditions	Recommended maximum values		
	In commercial or industrial areas or at a boundary of commercial or industrial and residential areas	Urban and Residential areas	Rural and rural residential areas
Limits apply in all directions where views of bright surfaces of luminaires are likely to be troublesome to residents, from positions where such views are likely to be maintained, ie. not where momentary or short term viewing is involved.	2,500 cd	1,000 cd	500 cd

This table is adapted from Table 2.1 Australian standard AS 4282 – 1997 (Control of the Obtrusive Effects of Outdoor Lighting). Section 5 of AS 4282 – 1997 shall be used to determine the luminous intensity.

4C.3.3.5 Artificial lighting

The maximum illuminance of any artificial light shall be 150lux measured at any point on the site in a horizontal or vertical plane at ground level and shall comply with the following criteria;

- (i) the light source (lamp) shall be shielded in such a manner that all light emitted by the luminaire is projected below the horizontal plane running through the lowest point of the luminaire from where the light is emitted,

or

the light source shall be shielded in such a manner that the highest point of the light emitting surface of the luminaire is lower than the light source (lamp) and the upward wasted light output ratio (UWLOR) does not exceed 4%

and

- (ii) The light source shall comply with the latest revision of AS/NZS 1158 where applicable, e.g. car parks and public areas.

4C.3.3.6 Street light exemption

Street lighting approved by a local authority or a requiring authority shall be exempt from the provisions of Rule 4C.3.3.1 to Rule 4C.3.3.5.

4C.3.4 Matters of discretion

4C.3.4.1 Restricted Discretionary Activity criteria

Where an application is deemed to be a Restricted Discretionary Activity in accordance with Rule 4C.3.3, the application shall be considered in relation to the following criteria;

- (a) The extent of adverse effects generated by the lighting activity,
- (b) The surrounding land uses and anticipated future land uses provided for within the zone,



- (c) The potential mitigation measures and alternative lighting methods.

4C.4 Offensive odours, effluent aerosols and spray drift

Explanatory statement

Council wishes to protect residents in Residential, Rural-Residential and Rural Zones from offensive odours and effluent aerosols that may be produced from activities such as oxidation ponds and factory farming. Activities with such effects can degrade the amenity values of the environment.

In the future Council may also have to protect the activity itself from more intensive and closer activities and the potential for complaints. The issue of conflicts caused by spray drift is addressed through the use of Land Information Memoranda. The Bay of Plenty Regional Council's Air Plan will be the key method for addressing concerns related to odour and spray drift.

4C.4.1 Significant issues

1. The potential for odours generated by industrial and intensive farming activities to adversely impact on existing amenity.
2. The potential for agrichemical spray drift to adversely impact on adjoining or neighbouring properties.
3. The complementary roles of District and Regional Councils.

4C.4.2 Objectives and policies

4C.4.2.1 Objective

Minimisation of the adverse environmental effects of activities which generate odours, effluent aerosols and spray drift.

4C.4.2.2 Policy

Activities which generate odours, effluent or chemical aerosols should not adversely affect the amenity of neighbouring properties or the environment generally.

4C.4.3 Matters of discretion

4C.4.3.1 Discretionary Activities – Rural Zones and Industrial Zones

- (a) Council shall consider each application on its merits having regard to (but not restricted to) any current adopted Codes of Practice e.g.:
- (i) New Zealand Pork Industry Board Code of Practice - Pig Farming - 2nd Edition August 1993.



- (ii) Poultry Industry Association Codes of Practice - Egg and Poultry Meat.
- (iii) Guidelines for Effluent Treatment Plants by Department of Health.
- (b) Council shall also consider the following information supplied by the applicant:
 - (i) An assessment of the effects of the proposal and alternatives for:
 - raw materials to be used
 - methods of waste handling and disposal
 - process plant and buildings
 - instrumentation and control systems
 - ancillary plant buildings
 - by-products handling and disposal
 - odour treatment
 - containment measures to reduce wind dispersal.
 - (ii) Description of local topographical, meteorological and land use data.
 - (iii) As a condition of consent Council may require an annual monitoring report from the applicant that monitors and reports on complaints.

(c) **Future activities about the site**

When considering proposals for activities or to rezone land from Rural to Future Urban or Residential, Council shall have regard to the existing land uses in the locality and the separation distances that are required by adopted Codes of Practice to avoid, remedy or mitigate the adverse effects of odour and effluent aerosols from such uses.

(d) **Certification**

Council may require any Discretionary or Non-Complying resource consent applications in any zone to provide as part of the resource consent documentation evidence from an appropriately qualified independent person that the proposal shall mitigate any potential odour problems.

Council shall consider odour management associated with human and animal effluent, activities involving animal and fish or parts thereof, fertiliser, paint varnish and chemical manufacture including the cleaning of containers, and solid waste storage and disposal.

4C.4.4 Other methods

- (a) Land Information Memoranda, other education and information tools as (and if) suitable for improving the communities knowledge and awareness of sensitivities to the types of effects possibly generated from these activities.
- (b) Bay of Plenty Regional Council's Regional Air Plan.



4C.5 Screening

Explanatory statement

The adverse visual impacts from activities can be reduced and mitigated by the use of planting, mounding and fencing. Such measures can assist in maintaining the amenity values and character of an area whilst allowing a degree of flexibility in the location of certain activities.

4C.5.1 Significant issue

The potential for activities adjacent to residential areas and the main entrances to towns to create adverse visual effects.

4C.5.2 Objectives and policies

4C.5.2.1 Objective

Avoidance or mitigation of the potential adverse visual effects of activities situated in prominent locations or adjacent to residential areas.

4C.5.2.2 Policy

Ensure appropriate landscaping and screening is established in conjunction with activities so as to minimise potential adverse visual impact.

4C.5.3 Activity Performance Standards

4C.5.3.1 General

The following performance standards shall be met by all Controlled Activities that are required to be screened by a specific rule in the Plan, and shall be used as a guide for all Discretionary and Non-Complying Activities. At Omokoroa Stage 2, such screening is additional to the 10m buffer landscaping required about Industrial Zones.

- (a) Screening shall be by either;
- (i) a solid wall of not less than 2m in height , or
 - (ii) landscape planting to a minimum depth of 3m and a minimum height of not less than 2m (the screen must be a minimum of 1.6m high at time of planting, but must have achieved a height of 2m within 2 years), or
 - (iii) a permeable fence (ie. trellis or chain mesh) in conjunction with planting (ie. vines and creepers) which will fully screen the site.

Such screening is to be maintained in good order at all times.



- (b) Where an activity proposes landscape planting as a form of screening a landscape plan shall be submitted for Council's consideration. In considering an application Council shall have regard to the following:
- (i) Landscaping must have a minimum width of 3m exclusive of site access for pedestrians and vehicles at the frontage including provision for sight lines.
 - (ii) There must be a variety of vegetation both in size and character having considered:
 - the character of the building or activity on site.
 - the character of adjacent properties.
 - the scale of any parking areas to be screened.
 - potential shadowing in winter of adjacent residential or rural properties or public reserves.
 - underground and overground services.
 - suitability of the species to the location.
 - suitability of the species to the maintenance and watering plan.
 - effects on the safety and efficiency of the roading network.
 - (iii) The proposed landscape plan is to be certified by an appropriately qualified person as being an appropriate screening and one that will be hardy.
 - (iv) Council shall apply a bond for three years to ensure the establishment and maintenance of the landscaping. The bond shall be directly related to the actual capital and labour costs of the work.

4C.5.3.2 Screening in Industrial Zones

The following landscape areas and requirements will be implemented either at the time of subdivision or development as the case may require.

- (a) Unless otherwise required by a rule in the Plan any activity which has a common boundary with or is separated by a road from a Residential, Rural-Residential, Future Urban or Rural Zone, or a public reserve shall be screened by landscape planting to a minimum depth of 3.0m and a minimum height of not less than 2.0m.
- (b) Unless otherwise required by a rule in the Plan any activity in an Industrial Zone adjoining the State Highway at Te Puke north of the Ohineangaanga Stream bridge to Collins Lane; or adjoining Wilson Road North, Maketu.

shall be screened by landscape planting to a minimum depth of 3.0m and a minimum height of not less than 2.0m.
- (c) **Katikati Industrial Zone**

A 10m minimum landscape strip shall be provided along the zone boundaries.



A landscape plan must be submitted to Council for consideration in accordance with the screening requirement in Rule 4C.5.3.1. This 10m landscape strip is to be vested in Council for ongoing maintenance, which will be paid for through a targeted rate on the Katikati industrial Area. Where a property adjoins the State Highway, the 10m landscape strip may be provided in the 10m building setback required on State Highways, except for the section from Marshall Road to Philip Walter Drive landscape screening shall be a minimum depth of 3.0m and a minimum height of 2.0m.

(d) **Omokoroa Industrial Zone**

- (i) A 10m minimum width landscape strip shall be provided along the perimeter of the Industrial Zone or adjacent to Omokoroa, Hamurana and Francis Road as shown in the Omokoroa Stage 2 Structure Plan maps. The landscape strip is to be at least 10m wide and densely planted evergreen plants, with a minimum height of 1.2m at the time of planting and 8m at maturity.
- (ii) A 10m planted median within the road reserve of the road leading east off the Francis road roundabout and vested in Council shall be provided in Lot 2 DPS 68390. Such planting shall be in evergreen trees with an average height of at least 5m and a height at maturity of at least 10m and be sufficient to screen industrial development within Lots 2 DPS 68390 and Pt Lot 4 DPS 72370 from State Highway 2.
- (iii) Use or development (excluding earthworks) of Lot 3 DPS 28670 for industrial purposes shall occur only after landscape planting described in (a) above adjacent the Stormwater and Private Conservation Reserve adjacent State Highway 2 has reached a height of 3m.

(e) **Te Puke West Industrial Zone**

- (i) At the time of subdivision or comprehensive site redevelopment of land in the Te Puke Industrial Area, a 10m corridor adjacent State Highway 2/Jellicoe Street will be vested in Western Bay of Plenty District Council for provision of a landscape strip in keeping with the Te Puke West Industrial Area Landscape Concept. This landscape strip is to be vested in Council for ongoing maintenance. Where a property adjoins the State Highway, the landscape strip may be provided in the 10m yard.
- (ii) The landscaping required for each stage of the Te Puke West Industrial Zone is to be as shown on the Urban Design Plan contained in Appendix VII.
- (iii) At the time of subdivision or development of land within Stage 1A of the Te Puke West Industrial Zone (as shown on the Staging Plan contained in Appendix VII), a 10m wide corridor adjacent to State Highway 2 shall be vested in Council so as to provide for a landscape strip consistent with the Te Puke West Urban Design Plan in Appendix VII. This landscape strip shall constitute the 10m yard adjoining a State Highway.



- (iv) Any subdivision or development of land shall provide landscape plans and planting species, at the time of subdivision or development in accordance with the Te Puke West Structure Plan in Appendix VII for the particular area of land to be developed. Such planting shall be established by the developer and where on land to be vested in Council shall be subject to a maintenance bond to ensure successful establishment of the plantings concerned.
 - (v) Provision shall be made for a wire mesh or other physical barrier at least 1.2m but no greater than 2.0m in height to be erected at the time of subdivision and thereafter maintained so as to prevent encroachment of any industrial activity into any esplanade or landscape strip area identified in the Urban Design Plan contained in Appendix VII.
- (f) **Te Puna Industrial Zone**
- (i) Any subdivision or development of land within the zone shall be designed, approved and developed to incorporate and illustrate amenity screen landscaping, acoustics earth bunds/fences and a stormwater collection system in accordance with the Te Puna Rural Business Park Structure Plan in Appendix 7.
 - (ii) The area of the planted land around the zone boundary, the area of land subject to the Te Puna Station Road roadscape planting, and the stormwater ponds and overland flow path/wetland as shown in the Te Puna Rural Business Park Structure Plan shall all be established and vested in Council prior to commencement of any industrial or business activity within the zone. The plantings and the stormwater ponds and the overland flow path/wetland shall be maintained for a period of three years with maintenance secured by way of an appropriate legal mechanism to Council's satisfaction.

Secondary planting shall be provided on boundaries between land parcels in accordance with the Structure Plan.

Landscape plans for the zone boundary, Te Puna road roadscape, and stormwater ponds and overland flowpath/wetland shall be prepared by a qualified landscape designer and approved by Council. The plan for the overland flowpath/wetland shall be prepared in consultation with Pirirakau.

Except to the extent already provided, additional amenity screen planting shall be provided to the satisfaction of Council for each new building over 100m². To that end, a landscape plan by a qualified landscape designer shall be submitted with the application. The plan shall specifically identify the plant species. The plan shall also include a landscape maintenance programme for three years.



4C.5.3.3 Screening in the Post Harvest Zone

- (i) All existing screening shall be retained on site, and if replaced, shall be by screening of a similar height and scale.
- (ii) A landscape strip shall be provided on all road frontages in accordance with 4C.5.3.1.(a).(ii) and 4C.5.3.1.(b).
- (iii) Shelterbelt planting comprising tree species which will attain a minimum height of 10m at maturity shall be provided on the remaining boundaries.

Provided that:

Screening may be reduced in height where the written approval of the owner(s) of the immediately adjoining land is obtained.