



*Western Bay of Plenty  
District Council*

## **Plan Changes 82 -91**

**Summary of Proposed Changes from all  
Section 32 Reports**

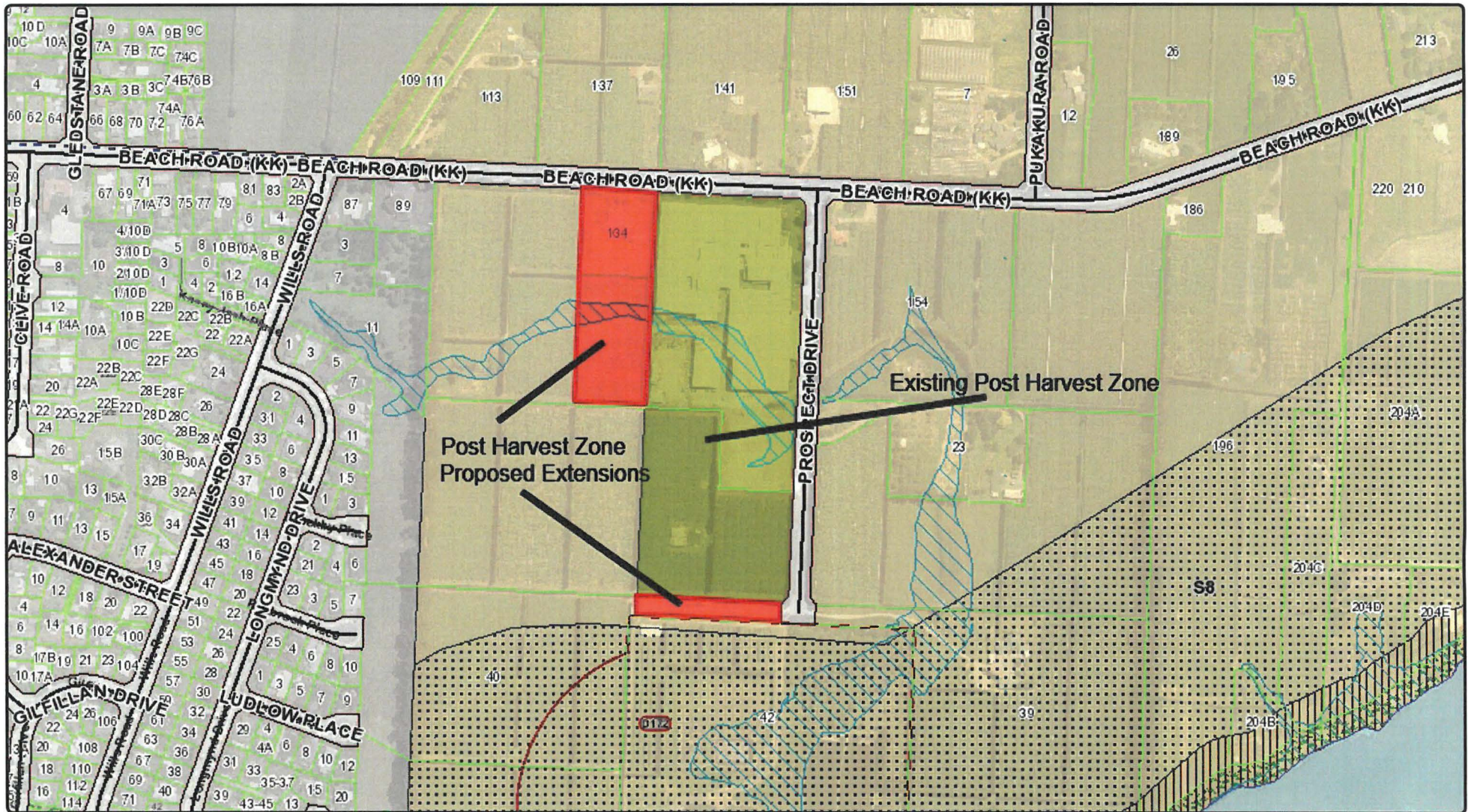
# **Plan Change 82**

## **Post Harvest Zone – Review of Provisions**

### **Issue 1 – The Size and Number of Post Harvest Zones**

The preferred option is Option 3.

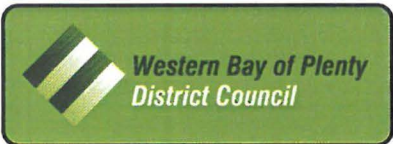
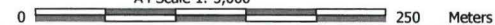
To give effect to this change District Plan maps would need to be amended to show the new Post Harvest Zone boundaries. The required changes are shown on the maps in ***Appendix B*** of the Section 32 Report (and as shown on the pages to follow).



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Date: 08/07/2019

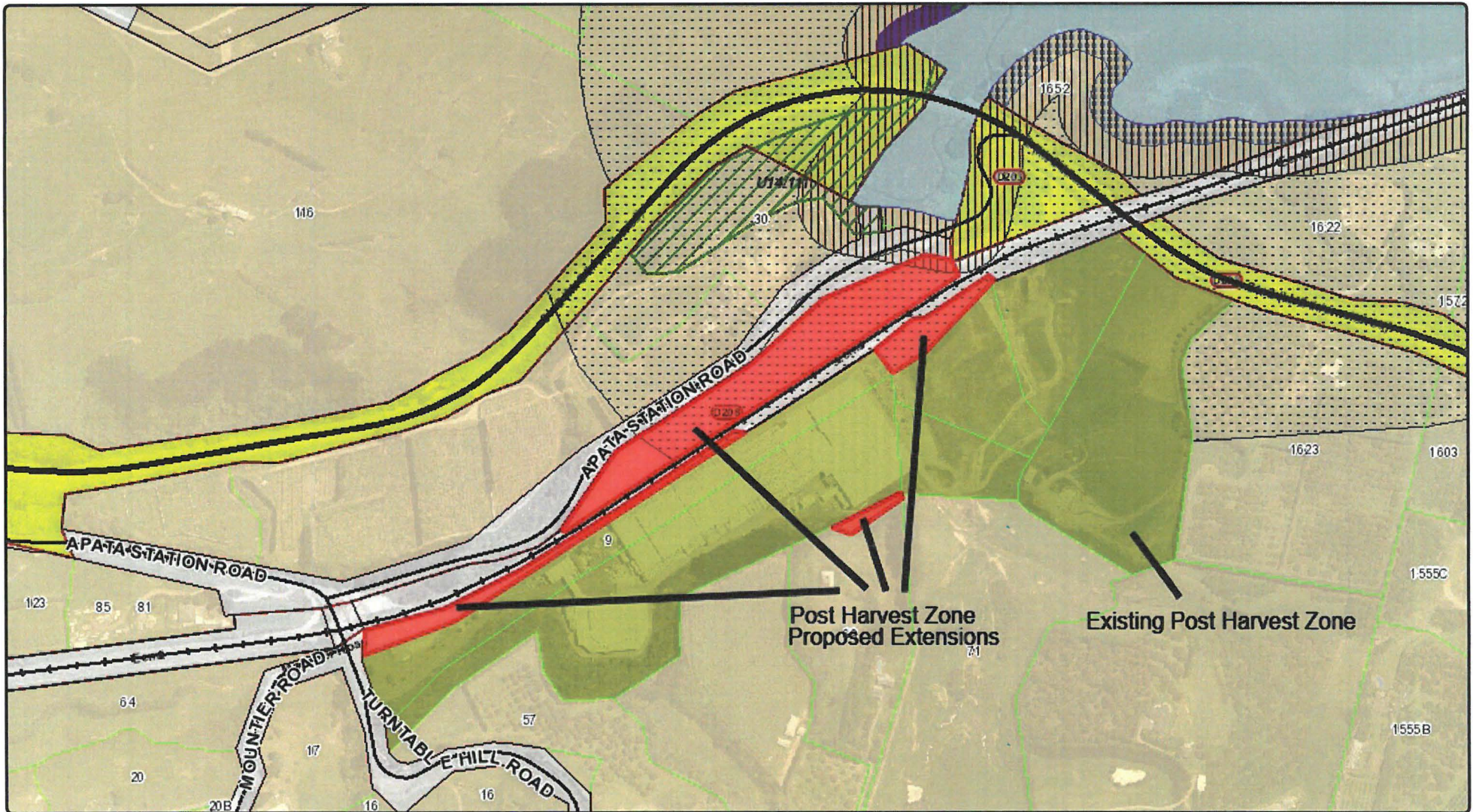
Operator:  
 A4 Scale 1: 5,000



Hume Pack-N-Cool Ltd  
 Prospect Drive, Katikati  
 Proposed Post Harvest Zone Extensions







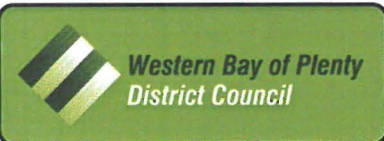
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Date: 08/07/2019

Operator:

A4 Scale 1: 5,000

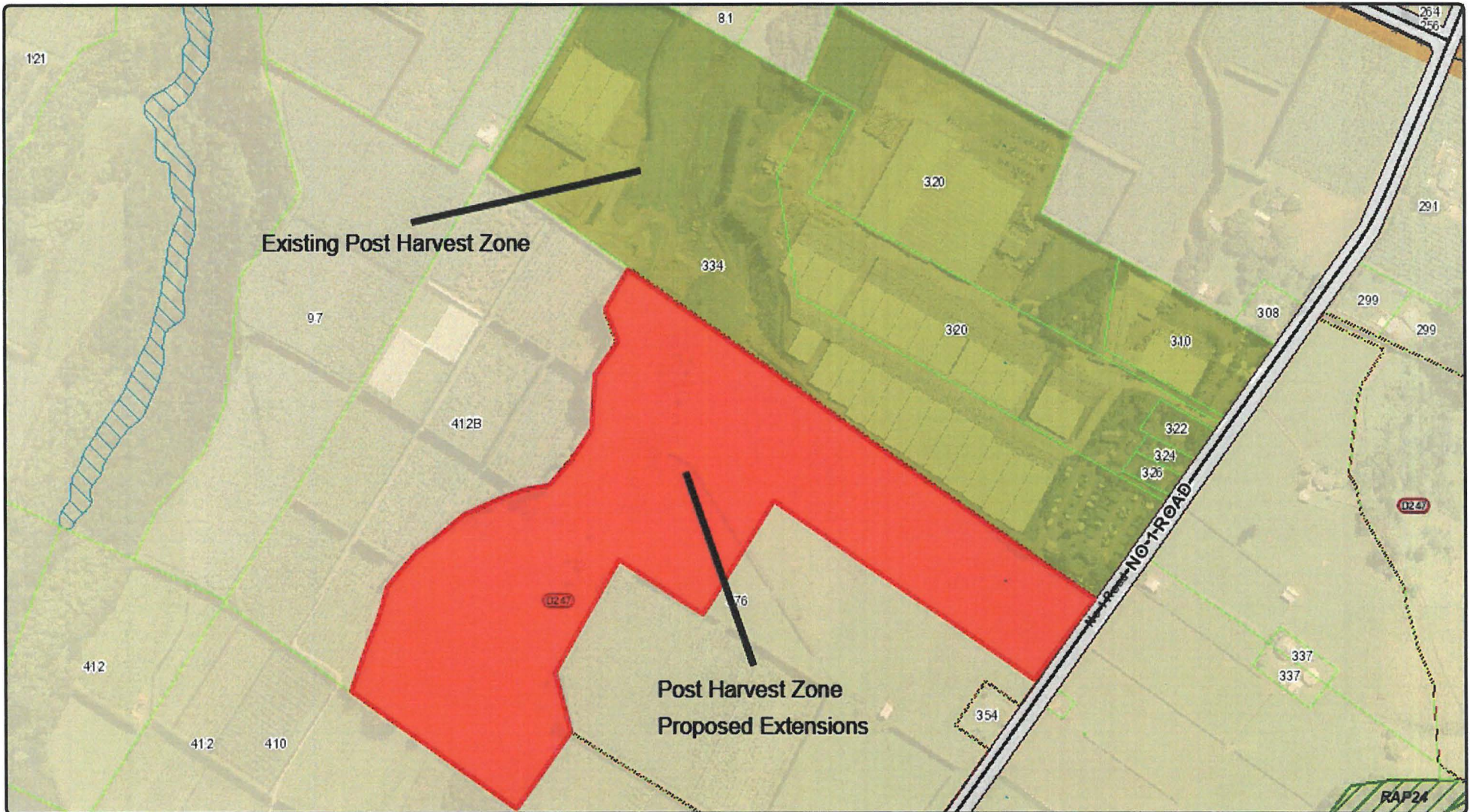
0 250 500 Meters



Apata Group Ltd  
Turntable Road, Katikati  
Proposed Post Harvest Zone Extensions







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Date: 08/07/2019

Operator:

A4 Scale 1: 5,000

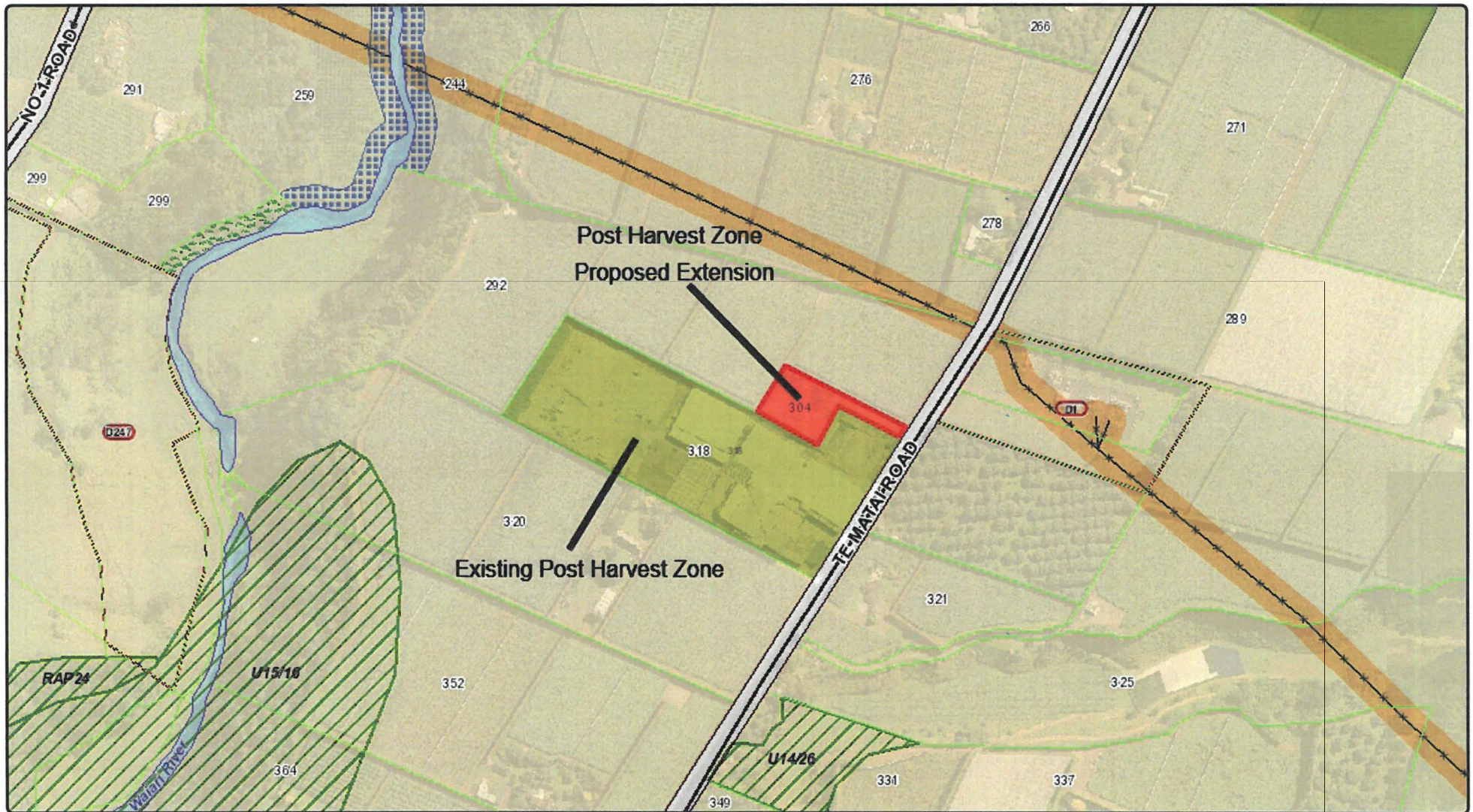
0 250 Meters



Trevelyan's  
No. 1 Road, Te Puke  
Proposed Post Harvest Zone Extensions







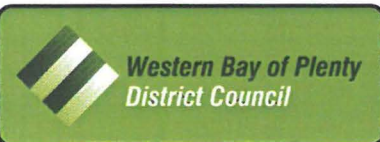
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Archaeological data supplied by NZ Archaeological Assoc/Dept. of Conservation.

Date: 08/07/2019

Operator:

A4 Scale 1: 5,000

0 250 Meters



DMS Pukepack  
Te Matia Road, Te Puke  
Proposed Post Harvest Zone Extensions







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Location of services is indicative only. Council accepts no liability for any error.  
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Date: 08/07/2019  
Operator:  
A4 Scale 1: 5,000

0 250 Meters



Apata Group Ltd  
Mends Lane, Te Puke  
Proposed Post Harvest Zone Extensions





## **Issue 2a – Bulk and Location Provisions in Post Harvest Zones – Daylighting**

The preferred option is Option 2.

To give effect to this change, District Plan Rule 22.4.1(b) would need to be amended generally as follows (change shown in underlined red font).

### **22.4 Activity Performance Standards**

#### **22.4.1 General**

##### **(b) Daylighting**

*No part of any building/structure shall exceed a height equal to 2m above ground level at all boundaries and an angle of 45° into the site from that point. Except where the site boundary is with a road or with a site zoned Post Harvest, in which case this rule shall not apply in respect to that boundary.*

*Provided that:*

*A building/structure may exceed the aforementioned height where the written approval of the owner of the immediately adjoining property to a specified greater height is obtained.*

## **Issue 2b – Bulk and Location Provisions in Post Harvest Zones – Height**

The preferred option is Option 2.

This option provides additional height to 14m as a Permitted Activity to provide some flexibility, and retains the ability for the industry to apply for additional height over 14m to a maximum of 20m via a resource consent as a Restricted Discretionary Activity.

Additional height over 20m would be considered as a Discretionary Activity.

Specific Restricted Discretionary Activity Matters of Discretion have been developed to give some certainty around what information would need to be provided to Council to increase the chances of a successful application between 14m and 20m in height.

Changes required are as follows (in underlined red font).

### **22.3 Activity Lists**

#### **22.3.3 Restricted Discretionary Activities**

*(e) Buildings/structures over 14m in height to a maximum of 20m in height.*

#### **22.3.4 Discretionary Activities**



(c) Buildings/structures over 20m in height.

## **22.4 Activity Performance Standards**

### **22.4.1 General**

#### **(a) Height of buildings/structures**

Maximum: ~~12m~~ 14m.

Except that:

For Lot 4 DP 376727 Te Puna the maximum shall be 9m.

## **22.5 Matters of Discretion**

### **22.5.1 Restricted Discretionary Activities**

(e) With respect to Rule 22.3.3(e), Council's discretion shall be restricted to relevant objectives and policies, and to the following matters:

(i) The impact on the visual amenity of the existing environment.

This shall require an assessment of the actual and/or potential effects of the building/structure that is appropriate to the scale and effect of the proposal and which addresses the following:

- The actual and/or potential loss of visual amenity when viewed from any existing or consented dwelling that is located on a title outside of the Post Harvest Zone and in different ownership to the post harvest zone operator;

- The actual and/or potential loss of visual amenity for any title that is located outside of the Post Harvest Zone and in different ownership to the post harvest zone operator;

- The ability of any actual and/or potential adverse effects to be avoided, remedied or mitigated via measures such as the colour of the building/structure, and/or vegetative or other screening.

(ii) Restrictions on advertising or similar publicity and/or promotional material on the walls of the building/structure to reduce the potential for adverse visual effects.



## **Issue 3 – NZTA Approval Rule 22.5.1(c) RDA Criteria**

The preferred option is Option 2.

To give effect to this change, District Plan Rule 22.5.1(c) would need to be amended generally as follows (change shown in underlined red font).

### **22.5 Matters of Discretion**

#### **22.5.1 Restricted Discretionary Activities**

(c) *For the purposes of an application under either Rule 22.3.3(a) or 22.3.3(b), the following shall apply in respect of notification:*

(i) *Where the prior written approval of the New Zealand Transport Agency has been obtained, neither public nor limited notification of the application shall be required.*

(ii) *Where the prior written approval of the New Zealand Transport Agency has not been obtained, only limited notification of the application shall be required, such notification to be limited to the New Zealand Transport Agency.*

*Except that:*

*This shall not apply to those Post Harvest Zoned sites that access Te Puke Highway via a side road.*

## **Issue 4 – Edit of Rule 22.3.1(d) - Seasonal Worker Accommodation Exclusion and Deletion of Rules 22.3.3(e) and 22.5.1(e)**

The preferred option is Option 2.

To give effect to this change, District Plan Rule 22.5.1(c) would need to be amended as follows (change shown in underlined red font).

### **22.3 Activity Lists**

#### **22.3.1 Permitted Activities**

(d) *Seasonal worker accommodation for a maximum of 75 persons associated with the post harvest and/or kiwifruit or avocado orchard operations. This rule does not apply to Lot 3 DP 392756, Te Matai Road, ~~Lots 1 and 2 DPS 35211, Rangiora,~~ ~~and~~ Lot 1 DPS 89976, Lot 2 and 4 DP 376727, Te Puna and Lots 4 and 5 DPS 18004, Kauri Point Road.*

#### **22.3.3 Restricted Discretionary Activities**



~~(e) For Lots 1 and 2 DPS 35211, Rangiora, seasonal worker accommodation for a maximum of 75 persons associated with the post harvest and/or kiwifruit or avocado orchard operations.~~

## **22.5 Matters of Discretion**

### **22.5.1 Restricted Discretionary Activities**

~~(e) With respect to 22.3.3(e) Council will limit its discretion to:~~

~~(i) Matters listed in 22.4.1(e);~~

~~(ii) The impact of the activity on the safe and efficient operation of the Maketu Road/Te Puke Highway intersection (and its immediate environs).~~



# Plan Change 83

## Accommodation Facility Permitted Limit

### Issue 1 - Increase the Accommodation Facility Permitted Activity Limit

The preferred option is Option 2 which increases the *accommodation facility* combined Permitted Activity maximum limit to five persons.

To give effect to Option 2, a change in the Activity Performance Standards for *accommodation facilities* would need to be made from four to five persons as the combined maximum across a number of zones.

The changes required are as follows (changes are shown in red underlined font).

#### ***Section 13 – Residential***

##### ***13.3 Activity Lists***

###### ***13.3.1 Permitted Activities***

(c) ~~*Accommodation or e*~~*Education facilities for a combined maximum of four persons (excluding staff).*

~~*(h) Accommodation facilities for a combined maximum of five persons (excluding staff).*~~

##### ***13.4 Activity Performance Standards***

###### ***13.4.1 General***

(f) *Standards for Accommodation Facilities*

(i) *Have a maximum occupancy of ~~four~~ five persons at any one time (excluding staff);*

(ii) *The total area available for exclusive use for the occupiers be no greater than 60m<sup>2</sup> gross floor area;*

(iii) *Must not contain a kitchen facility or otherwise be self contained;*

(iv) *For Discretionary accommodation facilities, information is to be provided in accordance with 4A.6.2.*

## **Section 14 – Medium Density**

### **14.3 Activity Lists**

#### **14.3.1 Permitted Activities**

- (c) ~~Accommodation or e~~Education facilities for a combined maximum of four persons (excluding staff).*
- (g) Accommodation facilities for a combined maximum of five persons (excluding staff).*

### **14.4 Activity Performance Standards**

#### **14.4.2 Standards for Accommodation Facilities**

*In the event of any conflict or inconsistency between these rules and those set out in 14.4.1 above, the content of these rules shall prevail.*

- (a) Have a maximum occupancy of ~~four~~ five persons at any one time (excluding staff);*
- (b) The total area available for exclusive use for the occupiers be no greater than 60m<sup>2</sup> gross floor area;*
- (c) Must not contain a kitchen facility or otherwise be self contained;*
- (d) For Discretionary accommodation facilities, information is to be provided in accordance with 4A.6.2.*

## **Section 15 - Future Urban**

### **15.3 Activity Lists**

#### **15.3.1 Permitted Activities**

- (f) ~~Accommodation or e~~Education facilities for a combined maximum of four persons (excluding staff).*
- (j) Accommodation facilities for a combined maximum of five persons (excluding staff).*

### **15.4 Activity Performance Standards**

#### **15.4.1 General**

- (d) **Standards for accommodation facilities***
  - (i) Have a maximum occupancy of ~~four~~ five persons at any one time (excluding staff);*



- (ii) *The total area available for exclusive use for the occupiers be no greater than 60m<sup>2</sup> gross floor area;*
- (iii) *Must not contain a kitchen facility or otherwise be self contained;*
- (iv) *For Discretionary accommodation facilities, information is to be provided in accordance with 4A.6.2.*

## **Section 16 – Rural-Residential**

### **16.3 Activity Lists**

#### **16.3.1 Permitted Activities**

- (d) ~~Accommodation or e~~Education facilities for a combined maximum of four persons (excluding staff).
- (j) Accommodation facilities for a combined maximum of five persons (excluding staff).

### **16.4 Activity Performance Standards**

#### **16.4.1 General**

##### **(e) Standards for Accommodation Facilities**

- (i) *Have a maximum occupancy of ~~four~~ five persons at any one time (excluding staff);*
- (ii) *The total area available for exclusive use for the occupiers be no greater than 60m<sup>2</sup> gross floor area;*
- (iii) *Must not contain a kitchen facility or otherwise be self contained;*
- (iv) *For Discretionary accommodation facilities, information is to be provided in accordance with 4A.6.2.*

## **Section 17 – Lifestyle**

### **17.3 Activity Lists**

#### **17.3.1 Permitted Activities**

- (e) ~~Accommodation or e~~Education facilities for a combined maximum of four persons (excluding staff).
- (m) Accommodation facilities for a combined maximum of five persons (excluding staff).

## **17.4 Activity Performance Standards**

### **17.4.1 General**

#### **(d) Standards for Accommodation Facilities**

- (i) Have a maximum occupancy of ~~four~~ **five** persons at any one time (excluding staff);
- (ii) The total area available for exclusive use for the occupiers be no greater than 60m<sup>2</sup> gross floor area;
- (iii) Must not contain a kitchen facility or otherwise be self contained;
- (iv) For Discretionary accommodation facilities, information is to be provided in accordance with 4A.6.2.

## **Section 18 – Rural**

### **18.3 Activity Lists**

#### **18.3.1 Permitted Activities**

- (h) ~~Accommodation or e~~Education facilities for a combined maximum of four persons (excluding staff).
- (t) ~~Accommodation facilities for a combined maximum of five persons (excluding staff).~~

## **18.4 Activity Performance Standards**

### **18.4.1 General**

#### **(e) Standards for accommodation facilities**

- (i) Have a maximum occupancy of ~~four~~ **five** persons at any one time (excluding staff);
- (ii) The total area available for exclusive use for the occupiers be no greater than 60m<sup>2</sup> gross floor area;
- (iii) Must not contain a kitchen facility or otherwise be self contained;
- (iv) For Discretionary accommodation facilities, information is to be provided in accordance with 4A.6.2.



# Plan Change 84

## Public Trails

### (Walkways, Cycleways, Bridleways and Similar)

#### Issue 1: Public Trails - Activity Status and Rule Framework

The preferred option is Option 2 which creates a clearer and more enabling District Plan framework for public trails (walkways, cycleways, bridleways and similar).

To give effect to this change, various amendments to the District Plan will be required as follows (additions are shown in underlined red font).

A new definition for *public trail* is required.

**"Public Trail"** means a path either on or off road for the purpose of public recreational or commuter cycle or pedestrian transport (including mobility scooters and other wheeled pedestrians), or can be a bridle trail or similar. A public trail can be for one or more of the above uses, but is not for the use of combustion-engine and similar motorised vehicles. Public trail includes activities associated with creating it, and includes but is not limited to, pathways, bridging, boardwalks, walkways and steps, and includes related signage and maintenance activities.

An addition to Table 10.3 is required.

#### **Section 10.3 Activity Table for Infrastructure and Network Utilities**

##### **Miscellaneous**

##### (bd) Public trails

*Public trails* will be provided for as a Permitted Activity (P) within every zone/column identified in Activity Table 10.3. It is further noted that even though *public trails* will be provided for as a Permitted Activity in Activity Table 10.3, the Activity Performance Standards in Section 10.4 and for each zone in which a *public trail* will be located still apply. This means that the provisions relating to Identified Significant Features in District Plan Sections 5 – 8 for example are relevant and may propel any *public trail* activity into another activity status category.

An addition to Section 10.4 Activity Performance Standards for Infrastructure and Network Utilities is required as follows.

## **10.4 Activity Performance Standards for Infrastructure and Network Utilities**

### **(r) Public trails**

- (a) Any part of a public trail shall be a minimum of 30m from any title boundary.
- (b) The above shall not apply if the public trail location is closer than 30m from a title boundary and it:
  - has been confirmed via a Reserve Management Plan, Town Centre Plan, Structure Plan, or similar plan that has been through a public process; or
  - is on land that is an esplanade reserve or an access strip; or
  - is on land where a public trail in the position proposed is specifically provided for by another legal mechanism.
- (c) Provided that:

A public trail may be located closer than 30m to a title boundary where the written approval of the owner/s of the title/s has been obtained.
- (d) Where the written approval/s have not been obtained under (c) above, limited notification of the application shall be required, with notice being served on those who have not provided written approval.

An addition to District Plan Section 8.3.3(c) is required as follows.

### **8.3.3 Restricted Discretionary Activities**

#### **(c) Floodable Areas and Coastal Inundation Areas**

- (i) Buildings/Structures not within an Approved Building Site – Natural Hazards*
- (ii) Earthworks over 5m<sup>3</sup> (except for*
  - maintenance, operation, upgrade and development of above ground lineal network utility structures and underground network utilities where the ground is reinstated to the same contour as existed immediately prior to the works being undertaken;*
  - or*
  - public trails where the finished surface is not more than 200mm above the pre-existing ground level/contour and where any other ground within the surrounding area that has been disturbed is reinstated to the same contour as existed immediately prior to the works being undertaken).*
- (iii) Closed board fences, retaining walls, raised gardens, concrete and block walls*



# **Plan Change 85**

## **Cleanfill Activities in Rural, Future Urban, Lifestyle and Rural-Residential Zones**

### **Issue 1 - Cleanfill Activities in Rural, Future Urban, Lifestyle and Rural-Residential Zones**

The preferred option is Option 2:

- a. Introduce District Plan provisions (including policies, rules and assessment criteria) to require resource consent for cleanfill activities involving the deposition of more than 1,000m<sup>3</sup> of material per year in the Rural, Future Urban, Lifestyle and Rural Residential Zones as set out in **Attachment A** of the Section 32 report (and as shown on the pages to follow).

## 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 onsite storage and disposal of non-toxic or non-hazardous solid wastes without 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 including, for example: ~~odour, vermin, visual intrusion and litter.~~

- (a) Effects on the amenity values of the surrounding area;
- (b) Effects on the *transportation network* and other *infrastructure and network utilities*; and
- (c) Effects on the safety of road users and vehicle accessways.

#### 4C.2.2 Objective and Policies

##### 4C.2.2.1 Objective

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

##### 4C.2.2.2 Policy

1. Ensure the management of solid waste storage and disposal so as to avoid or minimise adverse environmental effects.
2. To encourage waste minimisation and disposal of waste only to an authorised landfill.
3. Manage the deposition of *cleanfill* material to minimise adverse effects on the *transportation network, infrastructure and network*

utilities, safety and convenience of road and access users, and on the amenity of residential activities and other *sensitive sites*.

### **4C.2.3 Activity Lists**

#### **~~4C.2.3.1 Permitted Activities~~**

- ~~(a) Disposal on private land (i.e. not to an authorised landfill) of the following solid waste materials:~~
- ~~(i) *Cleanfill*, whether originating from the site on which it is disposed or not;~~
  - ~~(ii) Organic waste (e.g. shelter trimmings, home composting) that originates from the site itself.~~

#### ~~**Explanatory Note:**~~

~~Disposal of all solid waste on private land (including cleanfill) is subject to the provisions of the Regional Water and Land Plan.~~

#### **~~4C.2.3.2 Discretionary Activities~~**

~~Storage or disposal on private land (i.e. not to an authorised landfill) of solid waste (excluding *cleanfill*) that does not originate from the site on which it is located, whether man-made or natural.~~

#### **4C.2.3.1 Rural, Future Urban, Rural-Residential and Lifestyle Zones**

##### **(a) Permitted Activities**

Disposal on private land (i.e. not to an authorised landfill) of the following solid waste materials:

- (i) *Cleanfill* material originating from off the disposal site where the total volume of material does not exceed 1,000m<sup>3</sup> within any 12 month period;
- (ii) *Cleanfill* material originating from the same site on which it is to be disposed;
- (i) Organic waste (e.g. shelter trimmings, home composting) that originates from the site itself.



**(b) Restricted Discretionary Activities**

- (i) Disposal of *cleanfill* material on private land (i.e. not to an authorised landfill) where the *cleanfill* material originates from off the site and the volume of material exceeds 1,000m<sup>3</sup> within any 12 month period.

**(c) Discretionary Activities**

- (i) Storage or disposal on private land (i.e. not to an authorised landfill) of solid waste (excluding *cleanfill* material) that does not originate from the site on which it is located, whether man-made or natural.

**Explanatory Notes:**

- (i) These rules do not apply to the disposal of solid waste at authorised municipal or privately managed landfills and organic waste facilities (see Rule 10.3(ay)).
- (ii) The volume of *cleanfill* material is to be calculated as a solid measure compacted in place at the disposal site.
- (iii) Disposal of all solid waste on private land (including *cleanfill*) is subject to the provisions of the Regional Water and Land Plan.

**4C.2.3.2 All Other Zones (Residential, Medium Density, Commercial, Commercial Transition, Industrial, Post Harvest, All Terrain Park)**

**(a) Permitted Activities**

Disposal on private land (i.e. not to an authorised landfill) of the following solid waste materials:

- (i) *Cleanfill* material whether originating from the site on which it is disposed or not;
- (ii) Organic waste (e.g. shelter trimmings, home composting) that originates from the site itself.

**(b) Discretionary Activities**

Storage or disposal on private land (i.e. not to an authorised landfill) of solid waste (excluding *cleanfill* material) that does not originate from the site on which it is located, whether man-made or natural.

**Explanatory Notes:**

- (i) These rules do not apply to the disposal of solid waste at authorised municipal or privately managed landfills and organic waste facilities (see Rule 10.3(ay)).

- (ii) The volume of *cleanfill* material is to be calculated as a solid measure compacted in place at the disposal site.
- (iii) Disposal of all solid waste on private land (including *cleanfill*) is subject to the provisions of the Regional Water and Land Plan.

#### **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, Lifestyle and Rural Zones, recreation reserves and the public road. Screening shall be as required in Section 4C.5

##### **Explanatory Note:**

Mineral exploration, mining and *quarrying* activities will be exempt from this rule as the visual mitigation of these activities shall be in accordance with Rule 18.5.9(g).

##### **(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* (excluding from *dwelling*s) shall be to authorised landfills that have been specifically approved to receive *hazardous substances* or to approved industry collectors such as AgRecovery or in accordance with the provisions of NZS 8409:2004 Management of Agrichemicals Appendix S 5.1.

##### **(d) Processing of Cleanfill Material Sourced Off Site**

All *cleanfill* material sourced from off the site shall be ready for disposal without the need for any dismantling or processing on the site where it is to be disposed.

**4C.2.5 Matters of Discretion**

**4C.2.5.1 Restricted Discretionary Activities 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.~~

~~Council shall restrict its discretion to the following matters and shall use them as a guide for Discretionary Activities:~~

- ~~(a) Effects on the amenity values of the surrounding area, including effects associated with noise and disturbance, vibration, visual amenity, traffic movements, hours of operation and duration of the activity.~~
- ~~(b) Effects associated with vehicle access to and from the site, including safety and convenience for other road and access users.~~
- ~~(c) Effects of traffic movements on the safety, efficiency and maintenance of the *transportation network*.~~
- ~~(d) Effects on *infrastructure and network utilities*.~~
- ~~(e) The views of the New Zealand Transport Agency regarding effects on the State Highway network.~~
- ~~(f) The requirement for financial contributions for capacity consumption and pavement consumption as assessed in accordance with Section 11.~~
- ~~(g) Measures to avoid, remedy or mitigate adverse effects in matters identified (a) to (f).~~



# Plan Change 86

## Floodable and Coastal Inundation Areas – Maintenance of Stopbanks and Drains

### Issue 1 - Floodable and Coastal Inundation Areas - Maintenance of Stopbanks and Drains

The preferred option is Option 3:

- (a) Amend Rule 8.3.3(c)(ii) to exempt the District Council, Regional Council and Waihi Drainage Society from requiring resource consent for earthworks associated with maintenance of stopbanks and drainage channels as follows:

#### 8.3.3 Restricted Discretionary Activities

...

- (c) Floodable Areas and Coastal Inundation Areas
- (i) *Buildings/Structures* not within an *Approved Building Site – Natural Hazards*
  - (ii) *Earthworks* over 5m<sup>3</sup> (~~except for:~~
    - ~~Maintenance~~, operation, upgrade and development of above ground lineal network utility structures and underground network utilities where the ground is reinstated to the same contour as existed immediately prior to the works being undertaken); and
    - Maintenance of existing stopbanks and drains (including the clearing of drains) carried out by or on behalf of the Council, Regional Council or the Waihi Drainage Society.
  - (iii) Closed board fences, retaining walls, raised gardens, concrete and block walls

# Plan Change 87

## Frost Protection Fans

### Issue 1 - Frost Protection Fans – Activity Status

The preferred option is Option 3:

- a. Amend Rule 4C.1.3.6 to provide for frost protection fans as a permitted activity, subject to a number of permitted activity performance standards;
- b. Amend Rule 4C.1.3.6 to require restricted discretionary resource consent for any frost protection fan that fails to comply with the permitted activity performance standards; and
- c. Include matters of discretion for restricted discretionary frost protection fans (Rule 4C.1.4.2).

The changes proposed to the text are provided in **Attachment A** of the Section Report (and as shown on the pages to follow).

### Issue 2 - Frost Protection Fans – Reverse Sensitivity

The preferred option is Option 2:

- (a) Amend Rule 4C.1.3.2 to require new dwellings within 300m of existing or consented frost protection fans to be designed and constructed to protect occupants from noise effects associated with the operation of the frost protection fan.

The changes proposed to the text are provided in **Attachment A** of the Section Report (and as shown on the pages to follow).

## 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 unreasonable noise and the need to recognise that permitted and lawfully established activities in the Rural and Industrial Zones may have associated noise levels that are acceptable as part of the principal activity such as farming.

In some areas the loading/unloading of materials at night and the movement onsite 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.

*Reverse sensitivity* is a matter that requires management throughout the *District*. This is done in a number of ways.

The Post Harvest Zone and the Tara Road Rural Residential Zone each have specific buffer provisions, as does the Cameron Quarry site which is located at Otamarakau within the Rural Zone. In the latter case, a *Quarry Effects Management Area (QEMA)* has been identified on the District Planning maps over land surrounding the site.

#### 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.
4. The perception of the rural area as being a quiet environment does not reflect the realities of the Rural Zone as a productive working environment and increases the potential for *reverse sensitivity* issues.



#### **4C.1.2 Objective and Policies**

##### **4C.1.2.1 Objective**

An environment free of unreasonable noise in accordance with the character and amenity of the zone within which the noise is generated and received.

##### **4C.1.2.2 Policies**

1. Ensure activities do not generate noise levels inconsistent with the character and amenity of the zone in which the generated noise is received.
2. Exempt from the maximum permitted noise level requirements are those activities which are an integral part of accepted management practices of activities associated with production land 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, Rural and Lifestyle Zones**

- (i) 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, Lifestyle or 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);

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(ii) Any new *dwelling* to be erected or the addition of habitable space to an existing *dwelling* within 200m of a Post Harvest Zone boundary shall be designed and constructed so as to ensure that with respect to the night time noise levels permitted within the Post Harvest Zone, internal noise levels do not exceed LAeq(15min) 30dBA in bedroom and LAeq(15min) 40dBA in other habitable rooms. Written certification of such compliance from a suitably qualified and experienced acoustic engineer shall be submitted with the building consent application for the *dwelling* concerned. Where the windows of the *dwelling* are required to be closed to achieve compliance with the aforementioned noise limits, alternative means of ventilation shall be provided in compliance with clause G4 of the New Zealand Building Code or any subsequent equivalent clause.

(iii) Any new *dwelling* to be erected, or the addition of habitable space to an existing *dwelling*, within 300m of any existing or consented frost protection fan located on a title separate to that of the subject site and in different ownership shall be designed and constructed so as to ensure that, with respect to noise emitted by any existing or consented frost protection fan, internal noise levels do not exceed LAeq(15min) 30dBA in any bedroom and LAeq(15min) 40dBA in other habitable room. Written certification of such compliance from a suitably qualified and experienced acoustic engineer shall be submitted with the building consent application for the *dwelling* concerned. Where the windows of the *dwelling* are required to be closed to achieve compliance with the aforementioned noise limits, alternative means of ventilation shall be provided in compliance with clause G4 of the New Zealand Building Code or any subsequent equivalent clause.

For the purposes of this rule, “consented” means:

- (a) any frost protection fan for which a resource consent has been granted; or
- (b) any permitted frost protection fan for which certification has been provided to the Council in accordance with Rule 4C.1.3.6(b);

prior to lodgement of a building consent application for the *dwelling* concerned.

Time Period		Sound Level Not to be Exceeded	
Day	Hours	Leq	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

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

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	<i>Leq</i>	<i>Lmax</i>
Monday to Saturday	6am to 10pm	55dBA	N/A
Sunday and Public Holidays	9am to 6pm	55dBA	N/A
At all other times		45dBA	70dBA

### (c) 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
	<i>Leq</i>	<i>Leq</i>
Offices not accessory to any industry, storage or warehousing	45dBA	N/A
Residential units (habitable spaces)	45dBA	30dBA

### (d) 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 Rangiora Business Park that existed as at December 2005;



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- (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:
- (iv) those *lots* within the Comvita Campus Structure Plan area that are zoned Industrial and located within 50m of Wilson Road South as indicated on the Comvita Campus 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 shall be required by the *Council*.

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.

**(e) 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 at any point within the boundary of any property within a Residential, Rural-Residential, or Future Urban Zone:

Time Period	Sound Level Not To Be Exceeded	
	<i>Leq</i>	<i>Lmax</i>
Daytime 7am – 10pm	55dBA	N/A
Night time 10pm – 7am	45dBA	65dBA

Provided that:

- (i) Night time levels may exceed LAeq 45dBA where it is demonstrated that a noise level not exceeding LAeq (15min) 30dBA ('the internal level') can be achieved within all bedroom and LAeq(15min) 40dBA in other habitable rooms of any *dwelling* (existing as at 7 February 2009), located in any of the zones specified above. Before the externally measured LAeq 45dBA noise limit can be exceeded, any necessary mitigation measures shall be installed in the *dwelling(s)* concerned and compliance with the internal level shall be certified by a suitably qualified and experienced acoustic engineer;
- (ii) Any new *dwelling* or any addition of *habitable space* to an existing *dwelling* to be erected in a Rural, Lifestyle, Rural Residential, Residential or Future Urban Zone within 200m of a Post Harvest Zone boundary shall be designed and constructed so as to ensure that the internal noise levels do not exceed LAeq(15min) 30dBA in bedrooms and LAeq(15min) 40dBA in other habitable rooms. Written certification of such compliance from a suitably qualified and

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experienced acoustic engineer shall be submitted with the building consent application for the *dwelling* or alteration concerned. Where the windows of the *dwelling* are required to be closed to achieve compliance with the noise limits, alternative means of ventilation shall be provided in compliance with clause G4 of the New Zealand Building Code or any subsequent equivalent clause.

**(f) Noise limits for activities in the All Terrain Park Zone**

(i) All activities in the All Terrain Park (the Park) (except for those involving gunshot noise) shall be conducted so as to ensure that noise shall not exceed the following noise limits within the stated timeframes at any point within the *notional boundary* of any *dwelling* existing at 7 February 2009 located outside the zone.

Time Period		Sound Level Not to be Exceeded	
Day	Hours	Leq	Lmax
Monday to Sunday	7am to 10pm	50dBA	N/a
At all other times and Christmas Day, Good Friday and Easter Sunday	7am to 6pm	40dBA	65dBA

(ii) Firing from any shooting range shall be only within the hours of 7am to 10pm and shall be so conducted as to ensure that gunshot noise does not exceed a composite noise rating (CNR) of 90 at any point within the *notional boundary* of any *dwelling* in regard to the properties in private ownership to the east of the subject site in a Rural Zone:

$CNR = Y - 25 + 10 \log (N) + 10 \log (R);$   
 Where: CNR=composite noise rating;  
 Y=dB linear peak level of the burst;  
 N=number of single shots or bursts per day;  
 R=number of rounds, or detonations, (acoustic events) per burst.

(iii) Noise shall be measured and assessed in accordance with NZS6801:2008 and NZS6802:2008. Adjustments for special audible characteristics shall not apply to the assessment of gunshot noise.

**(g) Written approval**

(i) The noise levels set out in 4C.1.3.2 (a) – (f) above may be exceeded where the written approval is provided by all owners or occupiers of those properties or *dwelling*s affected by the non-compliance.

**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 and horticultural vehicles and equipment; aircraft used for agricultural and horticultural purposes; and portable equipment (excluding portable sawmills and frost protection fans and audible bird scaring devices) associated with agricultural and 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**

**Explanatory Note:**

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

**(f) Exemptions for roadside cabinets housing telecommunication equipment**

Noise from roadside cabinets housing telecommunication equipment is subject to the requirements of the National Environmental Standard (NES) for Telecommunication Facilities. Such noise is not subject to rules in this District Plan.

**4C.1.3.4 Noise Measurement and Assessment**

- (a) 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 6801:2008 Measurement of Environmental Sound, and assessed in accordance with the requirements of NZS6802:2008 Assessment of Environmental Sound;
- (b) The noise shall be measured with a sound level meter complying with the International Standard IEC 651 (1979): Sound Level Meters, Type 1.

**Explanatory 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 Audible Bird Scaring Devices – Performance Standard for Permitted Activity**

Audible bird scaring devices shall be a Permitted Activity subject to compliance with the following performance standards.

An audible bird scaring device:

- (a) Shall only be operated from half an hour before sunrise to half an hour after sunset.
- (b) Shall be set to operate at no greater frequency than 12 times in any period of one hour, that is 12 single discharges or four groups of three discharges.



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- (c) Shall not be operated for any continuous period exceeding two seconds.
- (d) Shall only be operated when the horticultural crop is at risk from bird damage.
- (e) Shall not exceed 65dB ASEL at the *notional boundary* of any Rural, Rural Residential, Future Urban or Lifestyle *dwelling* or at the boundary of any Residential Zone (excluding any *dwelling/s* located on the same site as the device is being operated).
- (f) Where those persons who experience noise levels over 65dB ASEL as described in (e) above, have provided written approval to *Council* then the activity shall be permitted.

Use of any audible bird scaring device not in compliance with the above performance standards shall fall to be considered as a Restricted Discretionary Activity.

### 4C.1.3.6 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.1.3.7 and 4C.1.3.8.~~

Frost protection fans (including portable non-fixed type) shall be a Permitted Activity subject to compliance with the following performance standards:

- (a) Noise from the operation of a frost protection fan shall not exceed 55dBA *Leq* or 65dBA *Lmax* when measured:
  - (i) At any point at or within the *notional boundary* of any *dwelling* in the Rural or Lifestyle Zone that:
    - is or will be located on a title separate to that of the subject site and in different ownership; and
    - was existing or consented on the date that certification is provided to the Council in accordance with (b), below;
  - (ii) At any point at or within the boundary of a property in the Rural or Lifestyle Zone that:
    - is located on a title separate to that of the subject site and in different ownership; and
    - did not have an existing or consented *dwelling* on the date that certification is provided to the Council in accordance with (b) below;

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- (iii) At any point at or within the boundary of any property within a Residential, Rural-Residential, Medium Density Residential or Future Urban Zone.
- (b) Evidence of the ability to meet (a) above shall be provided to Council prior to the installation of the frost protection fan and shall include:
- (i) Certification from an appropriately qualified and experienced acoustic engineer that the noise limits in (a) above will be met; and
- (ii) A plan showing the location, and Global Positioning System co-ordinates, of the frost protection fan(s) to which the certification applies.
- (c) When the frost protection fan is in operation for frost protection the frost protection fan must not start up until the air at canopy height drops to 2°C, and shall cease operation when the rising temperature reaches 4°C at canopy height.
- (d) When the frost protection fan is operating for maintenance purposes the machine shall only be used from Monday to Friday 8am to 5pm. Testing outside these hours may only take place for urgent unforeseen maintenance purposes.

Except that:

- (e) Noise from the operation of a frost protection fan may exceed the noise levels described in (a) above, if:
- (i) The noise to be produced by the operation of the frost protection fan(s) is assessed and determined by an appropriately qualified and experienced acoustic engineer. The assessment shall include:
- the noise levels to be produced by the operation of the frost protection fan(s);
  - identification of the non-compliances with the noise levels specified in (a) above;
  - a plan showing the location, and the Global Positioning System co-ordinates, of the frost protection fan(s) to which the assessment applies;

AND

- (ii) The written approval of the owners of the land, and owners and occupiers of the dwelling(s) to which the non-compliances apply have provided their written approval for the non-compliances identified in the assessment provided in (i) above.

AND

- (iii) The information in (i) and (ii) above is provided to Council prior to the installation of the frost protection fan.

Any frost protection fan (including portable non-fixed type) that fails to meet the performance standards above shall be a Restricted Discretionary Activity.

**Explanatory Notes:**

Fan Type - The distance required to achieve 55dBA *Leq* and 65dBA *Lmax* will vary depending on the noise performance of the frost protection fan.

For portable frost protection fans, determination and/or certification of noise to be emitted must take into account the full range of possible operating locations for the device.

**4C.1.3.7 Frost Protection Fans — Performance Standard for Controlled Activity**

~~Where the following performance standards cannot be met then the activity shall fall to being assessed as a Restricted Discretionary Activity:~~

- ~~(a) Noise from the operation of frost protection fans shall not exceed 55dBA *Leq* and 65dBA *Lmax* at any point within the *notional boundary* of any *dwelling* in a Rural or Lifestyle Zone (excluding a residential *dwelling* on the same property on upon which the fan is operating) nor at any point within the boundary of any property within a Residential, Rural Residential or Future Urban Zone.~~
- ~~(b) When the frost protection fan is in operation for frost protection the frost protection fan must not start up until the air at canopy height drops to 2°C, and shall cease operation when the rising temperature reaches 4°C at canopy height.~~
- ~~(c) When the frost protection fan is operating for maintenance purposes the machine shall only be used from Monday to Friday 8am to 5pm.~~

**Explanatory 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.~~

~~Where the written approvals of all affected persons have not been obtained then notice shall be served on those persons.~~

**Explanatory Note:**

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~~For the purpose of identifying affected persons where the noise from the operation of the frost protection fan exceeds 55dBA *Leq* at any point within the *notional boundary* of any *dwelling* in a Rural, Lifestyle or Future Urban Zone, (excluding a residential *dwelling* on the same property on upon which the fan is operating) or at any point within the boundary of any Residential or Rural Residential zone, those occupiers/owners shall be deemed to be affected.~~

### ~~4C.1.4~~ **Matters of Control – Controlled Activities**

#### ~~4C.1.4.1~~ **Frost Protection Fans**

- ~~(a) ——— Council shall exercise control over the following;~~
- ~~(i) ——— The noise level that is permitted to be emitted from the frost protection fan;~~
  - ~~(ii) ——— The operational requirements of the frost protection fan;~~
  - ~~(iii) ——— The operation of the frost protection fan for maintenance purposes;~~
  - ~~(iv) ——— The hours of operation and times when the fan is permitted to operate.~~

### **4C.1.54 Matters of Discretion**

#### **4C.1.54.1 Restricted Discretionary Activity – Audible Bird Scaring Devices**

*Council* shall restrict its discretion to the noise levels and the consequential affect on amenity of the neighbouring properties. 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 65dBA *SEL* (excluding a residential dwelling on the same property as the audible bird scaring device). Should any written approvals not be obtained from an affected person(s) notice will be served on those persons.

#### **4C.1.54.2 Restricted Discretionary Activity - Frost Protection Fans**

~~*Council* shall restrict its discretion to the following:~~

- ~~(a) ——— The best practicable option, this should address as a minimum; alternative options for frost protection, effectiveness of those alternative options, affordability, cumulative effects of existing machines in the vicinity, and any effects on established land uses, and proposed mitigation.~~
- ~~(b) ——— The effect of the increased noise level on those persons who will experience noise levels over 55dBA *Leq* at their *notional boundary* or boundary.~~

~~*Council* shall restrict its discretion to the following:~~

- ~~(a) The level of noise that is to be emitted from the frost protection fan(s).~~



- (b) The effect of noise on the owners of land, and owners and occupiers of dwellings who will be affected by noise levels over 55dBA *Leq* and/or 65dBA *Lmax*.
- (c) The hours of operation, duration and frequency of use of the frost protection fan.
- (d) The best practicable option for preventing or minimising adverse effects associated noise emissions. This may include, but is not limited to consideration of alternative options for frost protection, effectiveness of those alternative options, affordability, cumulative effects of existing frost protection fans in the vicinity, effects on established land uses, and proposed mitigation.
- (e) The operational requirements of the frost protection fan.

#### **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.

## **Issue 3 - Frost Protection Fans – Height in Post-Harvest Zone**

The preferred option is Option 2:

(a) Amend Rule 22.4.1(a) as follows:

### **22.4.1 General**

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

#### **(a) Height of buildings/structures**

Maximum: 12m; excluding frost protection fans which shall be a maximum of 15m inclusive of blades.

# Plan Change 88

## Noise Standards within Industrial Zones

### Issue 1 - Noise within Industrial Zones

The preferred option is Option 2:

(a) Amend the Significant Issues in Section 4C.1.1 to read as follows:

#### 4C.1.1 Significant Issues

...  
3. The potential for ~~Permitted A~~activities within one zone to generate noise which detracts from the existing amenity of nearby zones.

...  
5. The potential for noise emissions within the Industrial Zone to adversely affect the health and safety of people within and adjacent to that zone.

(b) Amend Policy 3 in Section 4C.1.2.2 to read:

3. Have regard to any relevant New Zealand legislation, standards, guidelines, ~~or and~~ codes of practice, in the assessment of applications for resource consents.

(b) Amend Rule 4C.1.3.2(b) – Noise limits for activities in Industrial and Commercial Zones to include new clause (ii) as follows:

(i) All activities located within Industrial 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 boundary of any other property within an Industrial Zone:

<u>Time Period</u>	<u>Sound Level Not to be Exceeded</u>	
	<u>Leg</u>	<u>Lmax</u>
<u>Day time 7am – 10pm</u>	<u>60dBA</u>	<u>N/A</u>
<u>Night time 10pm – 7am</u>	<u>45dBA</u>	<u>70dBA</u>

# Plan Change 89

## Rural Contractors Depots

### Separation Distances

#### Issue 1 - Rural Contractors Depots – Separation Distances

The preferred option is Option 3:

- (a) Amend the Activity Performance Standard Rule 18.4.1(p)(v) to clarify that the separation distance required for rural contractors depots from existing dwellings, minor dwellings, education facilities and accommodation facilities applies to vehicle accessways/driveways, manoeuvring and parking areas associated with Rural Contractors Depots as follows:

The *Rural Contractors Depot* (including any associated vehicle accessways, driveways, vehicle parking and/or manoeuvring areas) shall not be located within 60 metres of any existing or consented *Dwelling, Minor Dwelling, Education Facility or Accommodation Facility* that is located on a title separate to that of the subject site and in different ownership to that of the *Rural Contractors Depot* operator.

- (b) Amend permitted activity Rule 18.4.1(c)(i)(e) to clarify that the separation distance required for new dwellings, minor dwellings, education facilities and accommodation facilities from existing or consented Rural Contractor's Depots applies to vehicle accessways/driveways, manoeuvring and parking areas associated with the Rural Contractor's Depot as follows:

#### (c) Yards

- (i) *Dwellings, minor dwellings, accommodation facilities*

Minimum 30m.

Provided that:

A *side or rear yard* may be reduced to not less than 10m in one or more of the following circumstances;

- (e) Where any new *dwelling, minor dwelling, accommodation facility or education facility* (including any additions or alterations to these) can meet all of the following permitted activity performance standards;
- Shall not be located any closer than 60m to any existing or consented *dwelling, minor dwelling, accommodation facility, education facility, rural contractors depot* (including vehicle accessways, driveways, vehicle parking and/or manoeuvring areas associated with a rural contractors depot), or approved building site assessed as part of a subdivision in accordance with Rule 12.4.1(b), that is located on a title separate to that of the subject site and in different ownership;...



# Plan Change 90

## Home Enterprises - Sale of Goods

### Issue 1 – Home Enterprises – Sale of Goods Performance Standard

The preferred option is Option 2:

Replace existing activity performance standards 13.4.1(g)(iii), 14.4.3(c), 15.4.1(e)(iv), 16.4.1(f)(iii), 17.4.1(e)(v), and 18.4.1(h)(v) as follows:

~~*Does not involve sales of products other than those produced on the site. This does not apply to the sale of any goods stored, distributed and manufactured off the site that are sold via the internet;*~~

*Any goods sold must be:*

- (i) goods produced on site; and/or*
- (ii) goods that are ordered by the customer by telephone, mail or electronic transaction and redistributed to them by post, courier, or electronically; and/or*
- (iii) goods ancillary and related to a service provided by the home enterprise.*

# Plan Change 91 Rangiuru Business Park – Water Supply Option

## Issue 1 – Water supply to Rangiuru Business Park

The preferred option is Option 2:

Utilise Pongakawa bore ESZ10 and associated infrastructure to provide water to Rangiuru Business Park (as shown on the map below).

