

Section 50 – Light Industrial Zone

50.1 Zone Description

The Light Industrial Zone is located outside and within the settlements of Pauanui, Tairua, Coromandel Town, Thames, Whangamata and Matarangi. The Zone is sometimes located between the Industrial Zone and other zones to act as a buffer for adverse effects from the Industrial Zone. The Light Industrial Zone hosts activities such as mechanical servicing, car sales yards, building depots, warehousing and the processing of marine aquaculture products. It generates business, employment, and provides goods and services to the District and beyond. This contributes significantly to the overall economic wellbeing of the District.

Distinguishing features of the Zone include:

- Large-scale buildings, with the scale and design of the buildings derived from their function;
- Larger infrastructure and road networks to cater for high stormwater runoff, trade waste, energy needs and heavy vehicles;
- Noise, light spill, odour, dust and smoke is not reasonably regarded as objectionable to nearby residents;
- Good access to regional road corridors and district arterial roads;
- Medium and large lot sizes to store material and to park, load and manoeuvre vehicles;
- The ability to have a manager's residence where it is accessory to the main activity on the site; and
- A significant number of vehicle movements from light trade vehicles, delivery vehicles and cars.

50.2 Zone Purpose

The Light Industrial Zone provides for activities that do not cause objectionable effects in terms of dust, noise, odour, light spill and vehicle movements. Industrial activities that cause these effects are constrained. Because of this, the Light Industrial Zone can be closer to residential activities than the Industrial Zone. Also, limited residential and commercial activities that are accessory to industrial activities may be appropriate in this Zone, provided they support the industrial activity and do not absorb the limited provision of industrial-zoned land in the District.

Despite their location within some settlements, the Light Industrial Zone still requires larger lot sizes so light industrial activities have the necessary land area for storage and manufacturing, and heavy vehicle loading, manoeuvring and parking areas.

50.3 Activity Table and User Information

The Activity Table groups activities under broad headings and provides a rule and Section number to go to as a starting point. In the table the following abbreviations are used:

R =	Rule
S =	Section

The zone rules are part of a hierarchy of rules. There may be overlay rules, district-wide rules or special purpose provisions that also apply to the activity and site. Where there is conflict between rules the rule hierarchy applies to the extent of the conflict (see Section 1 Background and How to Use the Plan for more information).

Activity Table				
Activity	PER (S 50.4)	RDIS (S 50.5)	DIS (S 50.6)	NC (S 50.7)
Activities not provided for				
Activities not provided for in <u>the Plan</u>			R 11	
Activities not provided for in Section 50				R 13
Building removal				
Demolition	R 9			
Partial demolition	R 9			
Removal	R 9			
Commercial				
Restaurant	R 1			
Community				
Community facility			R 12	
Emergency service training, military training	R 2			
Festival, event	R 3			
Informal recreation	R 2			
Scientific equipment, navigational aid	R 2			
Earthworks				
Earthworks	R 4			
Industrial				
Industrial	R 5			
Marine equipment storage, maintenance and harvesting	R 5			
Retail accessory to an <u>industrial</u> activity	R 6			
Marine				
Marine equipment storage and <u>maintenance</u>	R 5			

Activity Table				
Activity	PER (S 50.4)	RDIS (S 50.5)	DIS (S 50.6)	NC (S 50.7)
Noise				
Noise not covered by another rule in Section 50	R 7			
Residential				
One dwelling per lot		R 10		
Water, wastewater, stormwater and solid waste				
Other water, wastewater, stormwater infrastructure	R 8			
Refuse transfer station, recycling operation			R 12	
Sanitary landfill			R 12	
Wastewater treatment plant, treated waste disposal site (including composting)			R 12	
Water treatment plant, reservoir	R 8			

Note:

1. Works in close proximity to any electricity line can be dangerous. Compliance with the [New Zealand Electrical Code of Practice for Electrical Safe Distances \(NZECP 34:2001\)](#) is mandatory for all buildings and mobile plant within close proximity to all electricity lines.
2. Vegetation to be planted near electricity lines should be selected and/or managed to ensure that it will not result in the vegetation breaching the [Electricity \(Hazards from Trees\) Regulations 2003](#).

50.4 Permitted Activities

Rule 1: Restaurant

1. A restaurant is a permitted activity provided it meets the standards in Table 3 at the end of Section 50.
2. A restaurant that is not permitted under Rule 1.1 is a restricted discretionary activity.
3. The Council restricts its discretion to matters 1-3 and 6 in Table 4 at the end of Section 50.

Rule 2: Emergency service training, military training; Informal recreation; Scientific equipment, navigational aid

1. An activity listed in Rule 2 is a permitted activity.

Rule 3: Festival, event

1. A festival, event, and any noise from it is a permitted activity provided:
 - a) Electronically amplified noise and vehicle noise at the notional boundary of adjacent sites from 10 pm to 7 am the following day is no louder than 40 dB $L_{Aeq(15\ min)}$ and 70 dB $L_{AF\ max}$; and
 - b) The noise of any helicopter associated with the festival, event complies with the standards in NZS 6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas (excluding Section 5: Land Use Planning); and
 - c) No buildings are erected (under this rule) that remain after the festival, event finishes; and
 - d) It lasts no longer than 24 consecutive hours.
2. A festival, event that is not permitted under Rule 3.1 is a restricted discretionary activity.
3. The Council restricts its discretion to matters 1-4 and 7-8 in Table 4 at the end of Section 50.

Note:

1. *After 10 pm, the Council may apply excessive noise provisions under sections 326 - 328 of the RMA if noise, particularly electronically amplified noise, is excessive for the location and event.*
2. *The Council recommends event planners contact the Area Manager prior to the festival, event.*
3. *Where a Festival, event has direct access onto or adjoins a State highway, the event organisers should contact the NZ Transport Agency to determine their traffic management requirements.*

Rule 4: Earthworks

1. Earthworks are a permitted activity provided:
 - a) They are for flood defence installation, maintenance or removal commissioned by the Waikato Regional Council; or
 - b) They are for drainage works installed below ground level where the ground surface is fully restored and planted within 3 months from when work started; or
 - c) They are for cultivation or gardening; or
 - d) They are for utility installation, maintenance, upgrading and/or removal by the Council or a network utility operator; or
 - e) They are to establish a building platform, and the earthworks are completed, and covered by a building or stabilised, within 3 months from when work started; or
 - f) They are for temporary stream and river gravel extraction and crushing facilities; or
 - g) They meet the following standards:
 - i) The standards in Table 1; and
 - ii) Silt and sediment resulting from the earthworks remain within the site; and
 - iii) Any surplus excavated material is reused on the site or is removed from the site within 3 months from when work started; and
 - iv) The earthworks are stabilised within 3 months from when work started; and
 - v) For fills/cuts to be assessed separately for the purpose of the Table 1 standards, a flat 'terrace' between fills/cuts must have a width perpendicular to the adjoining fill/cut that is more than twice the height of the adjoining fill/cut above the terrace. Otherwise, the earthworks are treated as one fill/cut.
2. Earthworks that are not a permitted activity under Rule 4.1 are a restricted discretionary activity.
3. The Council restricts its discretion to matters 1, 2 and 7 in Table 4 at the end of Section 50.

Table 1 – Earthworks Standards	
<ol style="list-style-type: none"> 1. Maximum area per <u>site</u> per calendar year is 1,000 m² 2. Maximum volume per <u>site</u> per calendar year is 1,000 m³ 3. Maximum <u>height</u> of any fill and/or cut is 5 m 	
Minimum Setback Distance of Earthworks	
4. From a <u>site</u> boundary, a <u>building</u> foundation, or a cliff (1:2 gradient or steeper) to the toe of a fill (without a legally established retaining wall)	Equal to the maximum <u>height</u> of the fill
5. From a <u>site</u> boundary, a <u>building</u> foundation, or a cliff (1:2 gradient or steeper) to the toe of a cut (without a legally established retaining wall)	Equal to 1.5 times the maximum depth of the cut (also see 6. below)
6. From a <u>site</u> boundary, a <u>building</u> foundation, or a cliff (1:2 gradient or steeper) to the crest of a cut (without a legally established retaining wall)	0.3 m (also see 5. above)
7. From a <u>site</u> boundary, a <u>building</u> foundation, or a cliff (1:2 gradient or steeper) to the top or bottom of a legally established retaining wall supporting a cut or a fill	Equal to the maximum <u>height</u> of the retaining wall
8. From buried Council-owned wastewater, stormwater or water pipe	The depth of the pipe plus the pipe radius (i.e. a 45° setback zone either side of the pipe)

Note:

1. For diagrams illustrating the above setback distances, refer to 'Earthworks' in Section 3: Definitions.
2. [Building Act 2004](#) requirements may be triggered for some earthworks, such as where work is needed because land instability threatens a building and retaining walls.
3. All earthworks must comply with [Heritage New Zealand Pouhere Taonga Act 2014](#), which protects recorded, suspected and unrecorded archaeological sites from destruction, damage and modification.
4. Consent may be required from the Waikato Regional Council. You are advised to check the Waikato Regional Plan prior to starting the earthworks.
5. Guidelines to avoid the discharge of earth material are available in: "Erosion and Sediment Control - Guidelines for Soil Disturbing Activities! Waikato Regional Council Technical Report No. 2009/02. January 2009. Available at www.waikatoregion.govt.nz.
6. Earthworks in close proximity to any electricity distribution line can be dangerous. The [New Zealand Electrical Code of Practice for Electrical Safety Distances \(NZECP 34:2001\)](#) applies to all earthworks and the operation of mobile machinery within close proximity to all electric lines.
7. Section 330 of the *RMA* provides for emergency works for preventative or remedial action.

Rule 5: Industrial; Marine equipment storage, maintenance and harvesting

1. An activity listed in Rule 5 is a permitted activity provided:
 - a) It meets the standards in Table 3 at the end of Section 50; and
 - b) If present, any office component of the building is located adjacent to the front yard or a publicly accessible driveway, and:
 - i) Has a pedestrian entrance facing the street or driveway that is directly accessible from the street or driveway; and
 - ii) The main windows of the building face the street; and
 - iii) Has no loading bay or storage of materials or waste between the office and the street or driveway.
2. An activity that is not permitted under Rule 5.1 b) is a restricted discretionary activity.
3. The Council restricts its discretion to matter 1 in Table 4 at the end of Section 50.
4. An activity that is not a permitted activity under Rule 5.1 a) is a discretionary activity.

Note:

1. *Rules controlling vehicle access, parking and manoeuvring are in Section 42 Transport.*

Rule 6: Retail accessory to an industrial activity

1. Retail accessory to an industrial activity is a permitted activity provided it meets the standards in Table 3 at the end of Section 50.
2. Retail accessory to an industrial activity that is not permitted under Rule 6.1 is a restricted discretionary activity.
3. The Council restricts its discretion to matter 1, 2 and 6 in Table 4 at the end of Section 50.

Rule 7: Noise not covered by another rule in Section 50

1. Noise not covered by another rule in Section 50 is a permitted activity provided:
 - a) It is from a temporary site or building maintenance activity between 7 am and 8 pm; or
 - b) It is from emergency service training or emergency response activities; or
 - c) It is from military training; or
 - d) It is from the temporary use of an emergency electricity generator; or
 - e) It is from a temporary construction activity that complies with NZS 6803:1999 Acoustics – Construction noise; or
 - f) It meets the noise standards in Table 2.
2. Noise not covered by another rule in Section 50 that is not permitted under Rule 7.1 is a restricted discretionary activity.
3. The Council restricts its discretion to matter 1 in Table 4 at the end of Section 50.

Table 2 - Maximum Noise Level Standards			
Time period	L _{Aeq} (15 min)	L _{AF max}	Measured at
1. At all times	70 dB	N/A	The receiving site at any point within the: <ul style="list-style-type: none"> - Airfield Zone - Commercial Zone - Industrial Zone - Light Industrial Zone - Marine Service Zone - Recreation Active Zone - Road Zone
2. Monday to Saturday 7 am to 10 pm	60 dB	N/A	At any point within the notional boundary of a site within any other zone not listed above
3. Sunday 7 am to 6 pm	60 dB	N/A	
4. At all other times	50 dB	65 dB	

Note:

1. Rule 7.1 a) includes noise from lawn mowing, waterblasting, leaf blowing, and similar temporary maintenance activities. It does not include home business activities.
2. Noise will be measured and assessed in accordance with NZS 6801:2008 Acoustics – Measurement of Environmental Sound and NZS 6802:2008 Acoustics – Environmental Noise.
3. Activities may be subject to the excessive noise provisions set out in s326 to s328 of the RMA.

Rule 8: Water treatment plant, reservoir; Other water, wastewater, stormwater infrastructure

1. An activity listed in Rule 8 is a permitted activity provided it meets the standards in Table 3 at the end of Section 50.
2. An activity that is not permitted under Rule 8.1 is a restricted discretionary activity.
3. The Council restricts its discretion to matters 1 and 4 in Table 4 at the end of Section 50.

Rule 9: Demolition; Partial demolition; Removal

1. Demolition, partial demolition or removal of a building is a permitted activity.

50.5 Restricted Discretionary Activities

Rule 10: One dwelling per lot

1. One dwelling per lot is a restricted discretionary activity provided:
 - a) It meets the standards in Table 3; and
 - b) It is accessory to an industrial activity.
2. The Council restricts its discretion to matters 3, 4 and 5 in Table 4 at the end of Section 50.
3. One dwelling per lot that is not a restricted discretionary activity under Rule 10.1 is a discretionary activity.

50.6 Discretionary Activities

Rule 11: Activities not provided for in the Plan

1. An activity not listed in the Activity Table at the beginning of Section 50 and not in the Activity Summary Table (in Section 1.8) is a discretionary activity.

Rule 12: Community facility; Refuse transfer station, recycling operation; Sanitary landfill; Wastewater treatment plant, treated waste disposal site (including composting)

1. An activity listed in Rule 12 is a discretionary activity.

50.7 Non-Complying Activities

Rule 13: Activities not provided for in Section 50

1. An activity that is not listed in the Activity Table at the beginning of Section 50, but is listed in the Activity Summary Table (in Section 1.8) and is not a district-wide activity is a non-complying activity.

50.8 Assessment Standards, Matters and Criteria

Table 3 - Standards

1. Front yard is 6 m
2. Yard from a Commercial, Recreation, Residential or Rural Area is 5 m
3. Maximum building height is 10 m
4. Maximum height in relation to boundary of a Residential Area is 3 m & 45°
5. Maximum fence height in a yard that extends from a non-Industrial Area is 3 m
6. Maximum lux level received at any point beyond the site, as measured vertically and horizontally is 5 lux

Table 4 – Restricted Discretionary Activity Matters

1. **Effects of not meeting the standard(s)**
 - a) Whether actions (if any) taken to avoid, remedy, or mitigate the adverse effects of not meeting the standards(s) are appropriate and effective.
2. **The suitability of the site for the scale of the proposed activity**
 - a) The extent to which the site can accommodate all aspects of the activity without causing adverse effects that are more than minor.
 - b) Whether the site is an appropriate location for the activity, and what alternatives have been considered.
 - c) The location of noise sensitive activities in relation to the proposed activity and the extent to which they will be affected.
 - d) Whether the provision of wastewater, water and solid waste is adequate for the number of people anticipated and the duration of the activity.

Table 4 – Restricted Discretionary Activity Matters

3. Positive and adverse effects on adjacent sites and the local community

- a) The extent to which shading, electromagnetic interference or other adverse effects from the activity do not affect adjacent sites.
- b) Whether the frequency and duration of the activity and of any effects in 3 a) above are tolerable.
- c) Whether these effects are appropriate to occur in the Light Industrial Zone, and whether any spill-over of effects into adjacent zones is appropriate.
- d) The extent to which positive effects from the activity contribute to the economic, social and cultural wellbeing of the local community.

4. Utility infrastructure provision and location (including easements) for water, wastewater, solid waste, stormwater, electricity, telecommunications

- a) Whether the provision and location of utility infrastructure on-site is appropriate.
- b) The extent to which the activity may impact on the capacity or integrity of reticulation networks.
- c) Whether the activity should be connected to existing reticulation networks.
- d) The extent to which the proposed infrastructure improves the resilience and security of the network.
- e) Where hydraulic neutrality is not able to be achieved, the extent to which the development incorporates low impact urban design and development principles to minimize the increase of stormwater flows and the extent to which the receiving environment can sustain the increased flows.
- f) Whether easements are appropriate.
- g) Whether there is technical and practical potential for co-location of utility infrastructure on a site.
- h) The extent to which technical and functional needs require the proposed location of the utility infrastructure.
- i) The extent to which the utility infrastructure contributes to the functioning and well-being of the community.
- j) Whether the extension of existing above-ground utility infrastructure is appropriate.
- k) The extent to which the activity will contribute to central and regional government energy policy objectives and renewable energy targets.

5. Reverse sensitivity

- a) The extent to which the activity meets the primary purpose of the Light Industrial Zone.
- b) The extent to which an accessory activity or building is vital to the operation of the industrial activity.

6. Off-site effects from earthworks

- a) Whether existing infrastructure and utilities are protected.
- b) The extent to which changes in water drainage to and from adjacent sites because of the earthworks causing adverse effects, such as ponding, erosion, drainage or flooding, are avoided or remedied.

Table 4 – Restricted Discretionary Activity Matters

- c) Whether mitigation measures are implemented to avoid earthwork debris being carried into adjacent properties, waterways, estuaries and harbours, also taking into account cumulative effects.

7. Rooding, vehicle parking and access

- a) Whether adequate consideration has been given to parking and where this will be provided.
- b) Whether traffic associated with the activity will have an adverse effect on the safety and efficiency of the rooding network.
- c) Whether consultation and approval is needed from the rooding authority.
- d) Where the activity involves use of roads, whether an approved traffic management plan is in place.

8. New permanent buildings

- a) Whether the building/s have a viable use beyond the festival, event.
- b) The extent to which the building/s comply with the standards in Table 3.