

## 17.12 RURAL INDUSTRIAL ZONE RULES

*Refer to Policy sets 5.1, 5.5, 7.1, 7.2, 7.3, 7.4, 9.1, 9.2, 9.3, 11.1, 11.2, 12.1, 13.1.*

### 17.12.1 Scope of Section

This section deals with land uses in the Rural Industrial Zone including specified sites in this zone at Brightwater. Subdivisions are dealt with in Chapter 16.3. Information required with resource consent applications is detailed in Chapter 19.

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**Advice Note:** The Resource Management (National Environmental Standard for Freshwater) Regulations 2020 may apply to some activities, including farming activities and activities in or near wetlands and rivers. The National Environmental Standard may alter the activity status of an activity and impose additional standards, information requirements, matters for assessment and criteria. Please ensure you have met any requirements in the regulations in addition to those in this plan.

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### 17.12.2 Land Use

#### 17.12.2.1 Permitted Activities (Land Use)

Any land use is a permitted activity, except where specified in rule 17.12.2.3A, that may be undertaken without a resource consent, if it complies with the following conditions:

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- (a) The activity is one of the following:
  - (i) A rural industry
  - (ii) A telecommunication or radio-communication facility.
  
- (b) The land use is any one or more of the following activities on the land shown on the planning maps as the Eves Valley Road Rural Industrial Zone or the Golden Edge Rural Industrial Zone:
  - (i) Wood pulp production.
  - (ii) Reconstituted wood panel production, including MDF (medium density fibreboard), particleboard, plywood, OSB (orientated strand board), and LVL (laminated veneer lumber) and ancillary activities such as the manufacture of resins for such production.
  - (iii) Added value processing of MDF, OSB, LVL, particleboard and plywood, including joinery and furniture products.
  - (iv) Telecommunication and radio-communication facilities.
  
- (c) The land use is any one or more of the following activities on the land shown on the planning maps as the Bell Island Rural Industrial Zone:
  - (i) Sewage treatment plants, oxidation ponds, settlement ponds.
  - (ii) Land disposal of liquid and solid waste originating from the permitted activities stated in item (i) of this condition. (Subject to other statutory rights and applications.)
  - (iii) One single unit dwelling for a plant operator's residence.
  - (iv) Buildings (excluding dwellings other than specified in item (iii) of this condition) and structures ancillary to any permitted activity.
  - (v) Farming, provided that the efficient and effective operation of the oxidation ponds is not threatened.
  - (vi) Telecommunication and radio-communication facilities.

- (d) The land use is any one or more of the following activities on the land shown on the planning maps as Port Motueka Rural Industrial Zone:
- (i) Sale of products landed, produced or processed on the site.
  - (ii) Pleasure boat sales, and ship chandlers' shops.
  - (iii) Marine engineering and general engineering workshops, and other industrial activities associated with ship and boat building and maintenance, but excluding any activity involving sandblasting.
  - (iv) Boat launching, storage, parking and fuelling facilities.

### Parking and Loading Areas

- (e) Parking, access, loading, manoeuvring and storage areas are formed and sealed or metalled with 20 millimetre washed Grade 3 or 4 chip surface.

### Stockpiles, Lighting, Cladding

- (f) The best practicable option must be applied at all times to manage open areas of land and stockpiles in a way that avoids or minimises the creation of dust or other airborne contaminants and that does not increase flood hazard risks. C57 11/15  
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[Condition (g) is deleted]

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- (h) Exterior lighting is directed away from adjacent residences and public places.
- (i) All metal cladding, roofing and fences are painted or otherwise coated with a non-reflective finish.

### Noise

- (j) In the Rural Industrial Zone, except in the Richmond West Development Area, noise generated by the activity, measured at or within the boundary of any site within the Central Business, Commercial or Light Industrial zone, does not exceed: C10 10/07  
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	<b>Day</b>	<b>Night</b>	
L <sub>eq</sub>	65 dBA	55 dBA	C10 10/07 Op 3/14
L <sub>max</sub>		85 dBA	C19 5/10 Op 8/12

**N.B.** Day = 7.00 am to 9.00 pm Monday to Friday inclusive and 7.00 am to 6.00 pm Saturdays (but excluding public holidays)

Night = All other times, plus public holidays.

Noise must be measured and assessed in accordance with the provisions of NZS 6801:2008 *Acoustics - Measurement of Environmental Sound* and NZS 6802:2008 *Acoustics - Environmental Noise*.

- (k) In the Rural Industrial Zone, except in the Richmond West Development Area, noise generated by the activity, measured at or within the notional boundary of any dwelling in the Rural, Rural Residential or Tourist Services zone, does not exceed:

	<b>Day</b>	<b>Night</b>	
L <sub>eq</sub>	55 dBA	40 dBA	
L <sub>max</sub>		70 dBA	

Except that in the Rural Industrial Zone located:

- (i) between Lansdowne Road and Lower Queen Street northwest of Richmond (Gibbons Holdings site); and
- (ii) on Lot 2 DP 13023 in Ranzau Road, Hope (NRM Ltd site); and
- (iii) at Eves Valley (Carter Holt Harvey site);

noise as measured for night does not exceed 45 dBA  $L_{eq}$ .

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N.B. Day = 7.00 am to 9.00 pm Monday to Friday inclusive and 7.00 am to 6.00 pm Saturdays (but excluding public holidays)  
Night = All other times, plus public holidays.

Noise must be measured and assessed in accordance with the provisions of NZS 6801:2008 *Acoustics - Measurement of Environmental Sound* and NZS 6802:2008 *Acoustics - Environmental Noise*.

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- (l) In the Richmond West Development Area, noise generated by any activity measured at or within the boundary of any site within the Light Industrial Zone, except on areas of land located at Lower Queen Street described as Lots 1 and 2 DP 18918, Lot 1 DP 17704 and Lot 7 DP 20017 while they remain in the ownership of Nelson Pine Industries Limited, does not exceed:

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	Day	Night
$L_{eq}$	60 dBA	50 dBA
$L_{max}$		80 dBA

[Item (ii) deleted]

N.B. Day = 7.00 am to 9.00 pm Monday to Sunday inclusive (including public holidays)  
Night = All other times.

Noise must be measured and assessed in accordance with the provisions of NZS 6801:2008 *Acoustics - Measurement of Environmental Sound* and NZS 6802:2008 *Acoustics - Environmental Noise*.

- (m) In the Eves Valley Rural Industrial Zone, there must be at all times a current Noise Management Plan for each site or for groups of sites which are operated as a single unit. Each Noise Management Plan specifies the following:

- (i) Aims and approach.
- (ii) The noise rules in this Plan which apply to the site.
- (iii) The approach to compliance monitoring.
- (iv) A complaints procedure.
- (v) The best practicable option methods for noise mitigation for site areas, activities, and/or processes.
- (vi) Equipment maintenance requirements.
- (vii) Any site layout provisions relating to noise mitigation.
- (viii) New plant/equipment policy.
- (ix) Staff training.
- (x) Means of communication with local residents and the wider community.
- (xi) Methods of review.

The current Noise Management Plan must be certified by the relevant Site Manager and must be available at the Tasman District Council offices for inspection by the public at any time.

## Buildings

- (n) The maximum building coverage is 75 percent.

- (na) The building to be constructed or altered does not create a new building or extend the footprint of an existing building on Specified Sites in Brightwater (as shown on the planning maps).

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- (o) The maximum height of a building is 15 metres, except that:
- (i) for slimline, self-supporting masts and poles and attached infrastructure, condition 16.6.2.1(j) applies;
  - (ii) for antenna attached to a building, condition 16.6.2.1(k) applies;
  - (iii) any chimney or other equipment that is the best practicable option for the management of any emission to air, including dust, smoke and odour, may exceed this height, notwithstanding the meaning of "height" in the Plan.

- (p) The building is set back at least 10 metres from:
- (i) all site boundaries, including existing and proposed legal road frontages; except that telecommunication and radio-communication facilities less than 10 square metres in area and less than 3 metres in height are exempt from this requirement;
  - (ii) the boundary, and not within the boundary, of any indicative road or indicative reserve, except that:
    - (a) this rule does not apply once the road or reserve intended to be established by the indicative road or indicative reserve is shown on a Land Transfer Plan and a s224 certificate pursuant to section 224 of the Resource Management Act 1991 has been issued by Council for the subdivision concerned; except that if the certificate pursuant to section 224 of the Resource Management Plan lapses, then this rule shall apply;
    - (b) no building setback is required under this rule on properties which do not have the indicative road or indicative reserve shown within that property's boundaries.
    - (c) No building setback is required in the Pohara area between Richmond Road and Falconer Road.

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*(Refer to 16.6.2.1(j)(ii) for applicable telecommunication and radio-communication facility setback requirements)*

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except also that in the following locations, the stated setbacks apply:

- (iii) Not less than 100 metres from Waimea West Road (for the Eves Valley Rural Industrial Zone).
- (iv) Not less than 3 metres from the north-eastern toe of the bund mound erected parallel to Lower Queen Street, or at least 5 metres from Queen Street, whichever is the greater distance, within the Golden Edge Rural Industrial Zone.
- (v) Not less than 3 metres from the boundary of any new legal road within the Golden Edge Rural Industrial Zone.
- (vi) Not less than 15 metres from mean high water springs on Record of Title 7254638 within the Golden Edge Rural Industrial Zone (520 Lower Queen Street).
- (vii) Elsewhere in the Zone, not less than 30 metres from the Coastal Marine Area boundary, except that this rule only applies to buildings constructed after 25 May 1996.

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### Electricity Transmission Corridor

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- (q) In the Richmond West Development Area, notwithstanding the exemption in condition (p)(iii) relating to telecommunication and radio-communication facilities, the building is set back at least 20 metres from the centreline of the electricity transmission line as shown on the planning maps.

**Landscaping and Amenity Planting**

- (r) In respect of the Golden Edge Rural Industrial Zone location at Lower Queen Street, referred to in condition (b), the following applies:
- (i) A landscape bund mound not less than 3 metres high is provided at the time of subdivision or sooner, within the zone parallel with the Lower Queen Street frontage; and
  - (ii) Suitable trees are planted along the Lower Queen Street frontage of Lot 1 DP 18146 and Lot 4 DP 18918 which will continue the “avenue” effect of existing trees (particularly oak) in the vicinity of the McShane Road/Lower Queen Street intersection. **C10 10/07  
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- (s) In respect of amenity planting and landscaping generally, the following applies:
- (i) An amenity planting area at least 3 metres wide is provided along all site boundaries that abut an existing or proposed road or a site in another zone, except for the following where there is no requirement for an amenity planting strip:
    - (a) for telecommunication and radio-communication facilities less than 10 square metres in area and less than 3 metres in height, and masts and poles and their antennas and mounting structures less than 10 metres in height.

As far as reasonably practicable, the planting must be designed to screen open operating and storage areas and buildings on maturity. For any rural industrial site in the Coastal Environment Area, the width of the amenity planting area is to be at least 20 metres and the planting is to primarily comprise indigenous coastal species from within the ecological region, except in the Port Motueka and Golden Edge Rural Industrial Zones where the 3-metre requirement applies; and
  - (ii) For zones located between Lower Queen Street and the Waimea Estuary, and Eves Valley and Waimea West Road, a landscape development plan prepared by a member of the New Zealand Institute of Landscape Architects must be submitted to the Environment and Planning Manager for approval prior to any building commencing. As far as is reasonably practicable, all planting must be completed within the first planting season following issue of the building consent and thereafter maintained in a tidy, healthy state.
- (t) In the Richmond West Development Area, all amenity plantings located within 20 metres from the centreline of the electricity transmission lines as shown on the planning maps are designed to ensure: **C10 10/07  
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- (i) access to support structures is retained; and
  - (ii) the mature height of the vegetation maintains at least a 4-metre vertical and an 8-metre horizontal separation from all conductors.

**Stormwater**

- (u) (i) EITHER **C7 7/07  
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- All stormwater from buildings and impervious surfaces is discharged to a Council maintained stormwater drainage network that has the capacity to receive the additional stormwater.
- OR
- The discharge complies with section 36.4 of this Plan.
- AND
- (ii) All stormwater drainage features that form part of the stormwater drainage network are physically and legally protected from future development that may adversely affect the efficient functioning of the network.

### 17.12.2.2 Restricted Discretionary Activities (Land Use)

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Any rural industry that does not comply with condition (q) of rule 17.12.2.1 is a restricted discretionary activity.

**A resource consent is required.** Consent may be refused or conditions imposed, only in respect of the following matter to which Council has restricted its discretion:

#### Electricity Transmission Corridor

- (a) In the Richmond West Development Area:
- (i) the extent to which buildings comply with the safe distance requirements of the New Zealand Electrical Code of Practice for Safe Distances (NZECP 34:2001);
  - (ii) the extent to which the buildings are set back from high voltage transmission lines to ensure adverse effects on the National Grid and public safety are appropriately avoided, remedied or mitigated.

### 17.12.2.3 Restricted Discretionary Activities (Land Use)

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Any land use that does not comply with condition (t) of rule 17.12.2.1 is a restricted discretionary activity.

**A resource consent is required.** Consent may be refused or conditions imposed, only in respect of the following matter to which Council has restricted its discretion:

#### Amenity Plantings

- (1) In the Richmond West Development Area, the extent to which amenity plantings are designed so that adverse effects on the National Grid and public safety are appropriately avoided, remedied or mitigated.

### 17.12.2.3A Restricted Discretionary Activity (Building Construction or Alteration – Specified Sites at Brightwater)

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Construction or alteration of a building that does not comply with permitted activity condition 17.12.2.1(na) is a restricted discretionary activity where the building construction or alteration complies with 17.12.2.1(e) to (i), (n), (o), (p) and (u).

**A resource consent is required.** Consent may be refused or conditions imposed, only in respect of the following matter to which the Council has restricted its discretion:

- (1)
- (a) Protection for flood flow paths during a 1 percent Annual Exceedance Probability event flood event;
  - (b) the effects of a 1 percent Annual Exceedance Probability flood event are mitigated so the building is not subject to inundation; and
  - (c) the effects any proposed development has on the flood hazard within the site and beyond the site boundaries.

### 17.12.2.4 Discretionary Activities (Land Use)

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Any land use that does not comply with the conditions of rule 17.12.2.1, 17.12.2.2, 17.12.2.3, 17.12.2.3A is a discretionary activity.

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**A resource consent is required** and may include conditions.

## 17.12.3 Dwelling for On-Site Caretaker

### 17.12.3.1 Discretionary Activities (Dwelling for On-site Caretaker)

Any dwelling for an on-site caretaker is a discretionary activity.

A resource consent is required and may include conditions.

### 17.12.20 Principal Reasons for Rules

Some industries that process rural resources are best located in a rural area. This may be because of the effects of the industry on the urban environment, because of efficiency with respect to the location of raw resources and markets, or because of the incompatibility of the industry with some other types of industry.

A minimum level of visual amenity, safety and health is expected to be maintained by the rules to protect the amenities of nearby residents and other natural and physical resources.

Some sites which contain large existing industries close to the Waimea Estuary have a special buffer requirement. There are also requirements to plant compatible trees along the Lower Queen Street frontage.

There is a large setback from Waimea West Road to maintain open space and heritage values in that locality.

Stockpiles of loose material and extensive building construction have the potential to exacerbate the impacts of flooding, such as in parts of Brightwater.

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