

A Plan Change 36 – Industrial B Zone

Recommended changes as a result of submissions

The changes proposed by this Plan change are as follows. Additions are double underlined and deletions are shown as ~~double strikethrough~~. It is recommended that the text be changed from “Industrial” to “Industrial A” throughout the entire Section 11 but it is considered unnecessary to include all of these here.

Note: Where numbering is referred to in the planners report, this refers to the original numbering.

1. **Amend section 11.1 Business and Industrial Areas – Issues Objectives and Policies as follows:**

11 Business and Industrial Areas...

11.1 Issues, Objectives and Policies

...

11.1.4 Environmental Results Anticipated

...

11.1.5 Industrial B Zone

The previous sections 11.1.1 and 11.1.2 which outline the issues facing the Business and Industrial (A) zones are also applicable to the Industrial B Zone.

Objectives and Policies

Objective 1

A high quality, functional area that provides for a wide range of business, industrial, service and trade-related activities and avoids residential, office, and most retail uses.

Policies

- 1.1 To avoid development that is not in accordance with the relevant Structure Plan or approved Outline Development Plans.
- 1.2 To ensure that development and subdivision only occurs where either the necessary infrastructure exists to service it, or temporary measure(s) have been agreed to by the council and the applicant has committed to connect to the council reticulated system once available.
- 1.3 Other than ancillary retail and that retail specifically permitted by the rules, all other retail shall be avoided in order to:
 - 1.3.1 Preserve the zone for those uses that are specifically enabled; and
 - 1.3.2 Ensure that the vibrancy of the existing town centres and the mixed use and commercial core areas of the Frankton Flats and Three Parks Zones is not undermined.
 - 1.3.3 Prevent the further distribution of retail across numerous areas and to therefore encourage continued consolidation of retail activity in those areas intended for that purpose.
- 1.4 Residential and office activities shall be prevented in order to avoid reverse sensitivity issues and to preserve the zone for industrial and service activities
- 1.5 Small lot subdivision shall be avoided unless combined with a landuse Resource Consent, which illustrates how a complying development can occur on the site(s).
- 1.6 Adequate road access and on-site loading and manoeuvring areas shall be provided for heavy vehicles in order to prevent i) any loading or manoeuvring from occurring within the road corridor and ii) any large vehicles (truck and trailer units) having to reverse out of a site onto a road.

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- 1.7 To ensure the provision of adequate loading zones in the design and layout of the zone, as well as on site loading at the time of development.
- 1.8 To require street layouts and design to:
- 1.8.1 Be well-connected, with cul-de-sacs being avoided wherever connected streets would offer greater efficiency and amenity
 - 1.8.2 Minimise the creation of rear sites.
 - 1.8.3 Be safe for vehicles, cyclists, and pedestrians.
 - 1.8.4 Minimise opportunities for criminal activity through incorporating “Crime Prevention Through Environmental Design” (CPTED) principles as appropriate in the design of lot configuration and the street network, car parking areas, lighting, public and semi-public spaces, access ways, landscaping, fencing, and the location of compatible uses.
- 1.9 To recognise that the relocation of a fixed road by more than 50 metres or a fixed connection point by more than 20 metres (from that shown on the Structure Plan) is likely to significantly affect the integrity of the Structure Plan and should be avoided.

Objective 2

Effectively mitigate ~~ion of a~~ the adverse visual effects of business and industrial development, when viewed from public and private places and b) the adverse nuisance effects on the amenity of residential zones within the vicinity of the Industrial B Zone ~~which can arise where business and industrial zones adjoin residential zones; and~~

Avoid unreasonable and objectionable odour, which will affect amenity in the residential zones in the vicinity of the Industrial B Zone.

Policies

- 2.1 To require buildings to be well designed, by encouraging interesting roofscapes, the incorporation of green building principles, and the use of recessive, non-reflective colours whilst ensuring that bright colours are used only as accents on a building.
- 2.2 To ensure that maximum building height rules are not used to create overly high surrounding parapet walls which create a visual presence well in excess of what is required to contain buildings’ internal volumes.
- 2.3 To ensure that the fixed open spaces shown on the relevant Structure Plan are provided in order to separate and partially screen the zone from adjacent existing or future residential zones ~~and in order to minimise the visual and nuisance effects of development from both public and private places.~~
- 2.4 To expect the Otago Regional Council’s Regional Air Plan standards to be met for all activities within the Industrial B Zone.
- 2.5 To avoid buildings within the fixed open space areas shown on the relevant Structure Plan other than on the designated building platforms, upon which certain small scale buildings shall be allowed in order to ~~ensure/enable/encourage/support/provide~~ the viable long term maintenance of those open spaces
- 2.6 To require high quality planting and mounding of the open spaces where this is specifically identified as required on the Structure Plan in order to mitigate the visual effects of development within the zone.
- 2.7 To avoid excavation on the fixed open space areas identified in the Structure Plan unless it is for the express purpose of providing for the pedestrian/cycling connection shown on the District Plan.

Objective 3

A street layout, well-considered building design, and other initiatives that, together, help to reduce car use and provide practical alternatives.

Policies

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- 2.8 To require that the street layout and cycle and walking networks are designed to:
- 2.8.1 Enable public transport to efficiently service the area, now or in the future; and
 - 2.8.2 Reduce travel distances through well-connected streets; and
 - 2.8.3 Provide safe, attractive, and practical routes for walking and cycling, which are well-linked to existing or proposed passenger transport and, which are well-connected to other areas beyond the zone.
- 2.9 To require applications for Outline Development Plans and large scale developments to show how they will help reduce private car travel and encourage realistic alternative modes of transport.
- 2.10 To encourage large scale developments to prepare voluntary travel plans through the Council providing advocacy and assistance.

Refer to Council guidelines relating to Travel Plans.

Objective 3

A subdivision layout and built form that demonstrates best practice in terms of achieving environmental sustainability

Policies

- 3.1 To ensure, through the street layout, that buildings are located and orientated in a way that achieves good solar access
- 3.2 To encourage energy-efficient building design.
- 3.3 To incorporate stormwater and sediment management options that ensure that:
- 3.3.1 The rate of discharge remains equal to or less than that of pre-development
 - 3.3.2 The quality of the water in that discharge remains equal to or better than that of pre-development.

- 3.4 To encourage the creation or restoration of wetlands where opportunities exist

2. ***Amend the heading of section 11.2 as follows:***

11.2 Resource Consents - Assessment Matters – The Business and Industrial (A) Zones (excluding the Industrial B Zone)

3. ***Add a new section 11.3 Industrial B Zone to Business and Industrial Areas – Rules as follows:***

11.3 Industrial B Zone

11.3.4 Zone Purpose

The Industrial B Zone provides for industrial and service activities. Conversely, offices, residential and almost all retail uses are avoided in the zone in order to ensure that it does not become a mixed use zone where reverse sensitivity issues and land values make industrial and some business uses unviable within the zone.

11.3.5 District Rules

Attention is drawn to the following District Wide Rules, which may apply in addition to any relevant Zone Rules. If the provisions of the District Wide Rules are not met then consent will be required in respect of that matter:

- | | |
|---|------------------------|
| <u>(i) Heritage Protection</u> | - Refer Part 13 |
| <u>(ii) Transport</u> | - Refer Part 14 |
| <u>(iii) Subdivision, Development
and Financial Contributions</u> | - Refer Part 15 |
| <u>(iv) Hazardous Substances</u> | - Refer Part 16 |
| <u>(v) Utilities</u> | - Refer Part 17 |
| <u>(vi) Signs</u> | - Refer Part 18 |
| <u>(vii) Relocated Buildings and Temporary Activities</u> | - Refer Part 19 |

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11.3.6 Non-Notification of Applications

- i Except as provided for by the Act, all applications for **controlled activities** will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons.
- ii Except as provided for by the Act, the following restricted discretionary activities will be considered without public notification or the need to obtain the written approval of, or serve notice on affected persons:

(a) All restricted discretionary applications for **Outline Development Plans** in this subzone.

Note: If the Outline Development Plan is non complying due to the fact it is not in accordance with the relevant Structure Plan, then it may be notified.

(b) All restricted discretionary applications that do not meet the following performance standards (whereby the Council's discretion is limited to those matters described in the standard(s):

- (i) The on-site location of retail and office space
- (ii) The provision of lockers and showers

11.3.7 Anticipated resource consent process for developing the zone

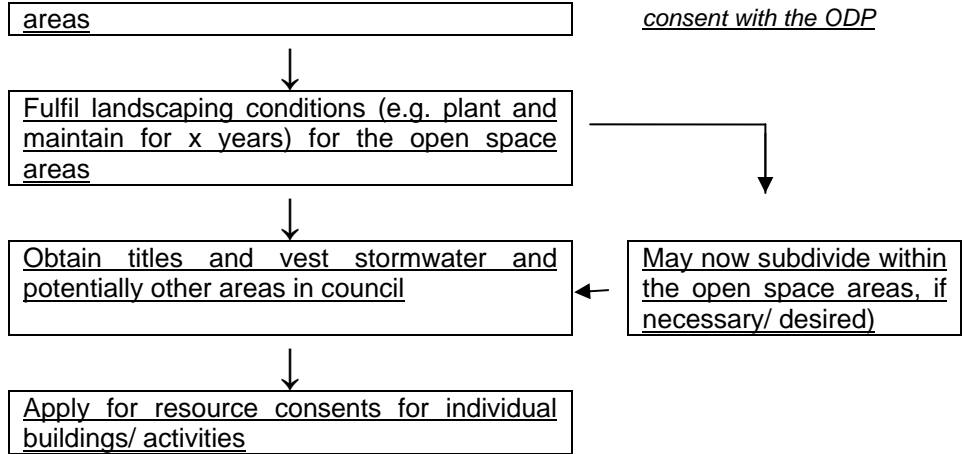
May apply for consent to landscape open spaces

Alternatively, the Landscape Plan can be applied for as part of the ODP consent

May now apply for Outline Development Plan

May now apply for subdivision but may not apply to subdivide within the open space

Alternatively, this may be lodged as a combined



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11.3.8 Activity table

Key and notes

CON	Controlled Activity	N-C	Non-Complying Activity
PERM	Permitted Activity	DIS	Discretionary Activity
RDIS	Restricted discretionary Activity		
PRO	Prohibited Activity		

Note: Where a proposed activity could possibly be captured by more than one activity/ classification, the most specifically defined activity shall override any other. For example: Where both retail and commercial are both listed the classification for retail over-rides that for commercial as it is more specifically defined. The following activities are listed generally in alphabetical order.

<u>Ref</u>	<u>Activity</u>	<u>Activity status (subject to meeting the performance standards in the following table)</u>
1	<u>Any Activity</u> (including buildings) which meets the performance standards and is not listed in this table as a Controlled, Discretionary, Non-Complying or Prohibited Activity.	PERM
2	<u>Any activity</u> other than car parking (which excludes the storage of cars for sale or rent) within the Special Use Area B shown on the Structure Plan	PRO
3	<u>Airports/</u> take-off or landing of aircraft other than the use of land and water for emergency landings, rescues and fire fighting.	N-C
4	<u>Buildings</u> , except any building located on the fixed open space areas or on the Special Use Area B identified on the Structure Plan Note: Buildings within the open space areas are prohibited	CON
5	<u>Buildings</u> within the fixed open space areas	PRO
6	<u>Buildings</u> within Special Use Area B or Special Use Area C shown on the Structure Plan.	PRO
7	<u>Commercial</u> activities, excluding those which are more specifically provided for elsewhere in this table (i.e. those which also meet the definition of an industrial, service, or retail activity).	N-C

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<u>Ref</u>	<u>Activity</u>	<u>Activity status (subject to meeting the performance standards in the following table)</u>
8	<u>Community activities, places of assembly, places of entertainment, recreational activity, educational facilities, health care and day care facilities</u>	N-C
9	<u>Factory farming</u>	N-C
10	<u>Food and beverage outlets within Special Use Area A identified on the Open Spaces on the Structure Plan.</u> <u>Refer to Section D for the Definitions of “food and beverage outlets”.</u>	PERM
11	<u>Garden and patio suppliers within Special Use Area A identified on the Structure Plan.</u> <u>Refer to Section D for the Definitions of “garden and patio suppliers”</u>	PERM
12	<u>Industrial activities, including but not limited to panelbeating, spray painting, motor vehicle repair or dismantling, fibreglassing, sheet metal work, bottle or scrap storage, and motorbody building.</u>	PERM
13	<u>Landscaping of the fixed open spaces shown on the Structure Plan, unless such landscaping has been approved as part of an approved ODP.</u> <u>Note: The intent of this rule is that a consent can be sought for the landscaping of the open spaces either as part of the ODP application or as a separate individual application prior to applying for the ODP; thus enabling the planting to mature ahead of development.</u>	RDIS
14	<u>Any activity requiring an Offensive Trade Licence under the Health Act 1956 other than the “collection and storage of used bottles for sale” (as listed in that Act).</u>	N-C
15	<u>Offices ancillary to any permitted activity</u>	PERM
16	<u>Offices, other than those ancillary to a permitted use</u>	N-C
17	<u>Outdoor Storage Areas, except for outdoor storage on the fixed open spaces</u>	CON

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<u>Ref</u>	<u>Activity</u>	<u>Activity status (subject to meeting the performance standards in the following table)</u>
18	<p><u>Outline Development Plan (ODP) or variation to an approved ODP</u></p> <p>Note: Where any element of an application for an Outline Development Plan is a non-complying activity then the Outline Development Plan application becomes non-complying.</p>	RDIS
19	<u>Planting of any wilding species (as identified in Part 5 of the District Plan).</u>	PRO
20	<u>Residential activities, including elderly persons units and retirement villages.</u>	PRO
21	<u>The display and retailing of goods produced, processed, or stored on the site, provided the retail area does not exceed 20% of the net floor area (NFA) used to produce, process, or store those goods, or 100m²; whichever is the lesser.</u>	PERM
22	<u>All retail activities other than those provided for elsewhere in this table</u>	PRO
23	<p><u>Except as specifically provided for in this table, the following types of retail activity shall be non complying:</u></p> <ul style="list-style-type: none"> a) <u>Automotive and marine suppliers</u> b) <u>Building suppliers</u> c) <u>Catering equipment suppliers</u> d) <u>Garden and patio suppliers</u> e) <u>Hire services (except hire/ loan of books, videos, DVDs, and other similar home entertainment items)</u> f) <u>Industrial clothing and safety equipment suppliers</u> g) <u>Office furniture, equipment, and systems suppliers</u> h) <u>Second hand goods outlets</u> i) <u>Service stations, including ancillary retail</u> j) <u>Wholesaling</u> k) <u>Yard-based suppliers</u> l) <u>Food and beverage outlet</u> 	N-C
24	<p><u>The sale of liquor for consumption on the premises</u></p> <p>Note: The sale of liquor is not covered by “Food & Beverage Outlets” so where the latter are provided for in this table, that does not include an allowance for the sale of liquor.</p>	N-C

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<u>Ref</u>	<u>Activity</u>	<u>Activity status (subject to meeting the performance standards in the following table)</u>
25	<u>Service activities</u>	<u>PERM</u>
26	<u>Visitor accommodation,</u>	<u>PRO</u>

11.5.5 Performance Standards

11.5.5.1 Failure to comply with a performance standard results in the need to obtain either a restricted discretionary or non complying resource consent, as specified in this table. Where failure to comply with a performance standard results in a restricted discretionary consent being required, the Council's discretion is restricted only to that or those standards that are not complied with. The following activities are listed generally in alphabetical order.

<u>Ref</u>	<u>Standards</u>	<u>Resource consent status if standard not met</u>
1	<u>Onsite location of office(s) or retail space(s)</u> All office(s) and retail space(s) shall be located at the front of the building(s) and facing the street; except that this does not apply to those on rear sites.	<u>RDIS</u>
2	All buildings shall be set back at least 15 m from the boundary of any Residential Zone	<u>RDIS</u>
3	<u>Outdoor waste storage areas:</u> i <u>Shall not be located within the building setbacks and</u> ii <u>Shall be screened from the road frontages or neighbouring properties by either a solid fence and/ or dense planting of at least 1.8 m in height.</u> <u>Note: The only building setbacks in this zone are setbacks from residential zones.</u>	<u>RDIS</u>
4	<u>Fencing along any boundary with any Residential or Town Centre Zone</u> A solid fence and/ or dense planting of at least 1.8 m in height shall be erected on the boundary of any Residential or	<u>RDIS</u>

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Ref	Standards	Resource consent status if standard not met
	<p>Town Centre Zone unless the zones are separated by a road or an open space area. In the case of the latter, performance Standard 11.5.5.1(Ref 8) applies.</p>	
5	<p><u>Hours of operation</u></p> <p>The hours of operation for any activity on a site which adjoins a Residential zone shall be limited to between: <u>0730 – 2000.</u></p> <p><u>Note: A site shall still be deemed to be “adjoining” where a road separates the site from the Residential Zone but shall not be deemed to be “adjoining” where an open space of at least 15 metres in width separates the two zones. The open space must either be shown on the Structure Plan or approved as part of an approved ODP.</u></p>	<p><u>RDIS</u></p>
6	<p><u>Earthworks</u></p> <p>The following limitations apply to all earthworks (as defined in this Plan); except for earthworks associated with a subdivision or Outline Development Plan that has both resource consent and engineering approval.</p> <p>1. <u>Earthworks</u></p> <p>(a) <u>The total volume of earthworks does not exceed 100m³ per site (within a 12 month period). For clarification of “volume”, see interpretative diagram 5.</u></p> <p>(b) <u>The maximum area of bare soil exposed from any earthworks where the average depth is greater than 0.5m shall not exceed 200m² in area within that site (within a 12 month period).</u></p> <p>(c) <u>Where any earthworks are undertaken within 7m of a Water body the total volume shall not exceed 20m³ (notwithstanding provision 17.2.2).</u></p> <p>(d) <u>No earthworks shall:</u></p> <p style="padding-left: 40px;">(i) <u>expose any groundwater aquifer;</u></p> <p style="padding-left: 40px;">(ii) <u>cause artificial drainage of any groundwater aquifer;</u></p> <p style="padding-left: 40px;">(iii) <u>cause temporary ponding of any surface water.</u></p> <p>2. <u>Height of cut and fill and slope</u></p> <p>(a) <u>The vertical height of any cut or fill shall not be greater than the distance of the top of the cut or the toe of the fill from the site boundary (see interpretative diagram 6). Except where the cut or fill is retained, in</u></p>	<p><u>RDIS</u></p>

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Ref	Standards	Resource consent status if standard not met
	<p><u>which case it may be located up to the boundary, if less or equal to 0.5m in height.</u></p> <p>(b) <u>The maximum height of any cut shall not exceed 2.4 metres.</u></p> <p>(c) <u>The maximum height of any fill shall not exceed 2 metres.</u></p> <p>3. <u>Environmental Protection Measures</u></p> <p>(a) <u>Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be revegetated within 12 months of the completion of the operations.</u></p> <p>(b) <u>Any person carrying out earthworks shall:</u></p> <p>(i) <u>Implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.</u></p> <p>(ii) <u>Ensure that any material associated with the earthworks activity is not positioned on a site within 7m of a water body or where it may dam or divert or contaminate water.</u></p> <p>(c) <u>Any person carrying out earthworks shall implement appropriate dust control measures to avoid nuisance effects of dust beyond the boundary of the site. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.</u></p> <p>4. <u>Protection of Archaeological sites and sites of cultural heritage</u></p> <p>(a) <u>The activity shall not modify, damage or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified in Appendix 3 of the Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.</u></p> <p>(b) <u>The activity shall not affect Ngai Tahu’s cultural, spiritual and traditional association with land adjacent to or within Statutory Acknowledgment Areas.</u></p> <p><u>Note: Earthworks in the open space areas shown on the Structure Plan are also subject to an additional performance standard in this table.</u></p>	
7	<u>Lighting and Glare</u>	RDIS

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Ref	Standards	Resource consent status if standard not met								
	<p>i <u>All lighting shall comply with the following standards:</u></p> <ul style="list-style-type: none"> i <u>All fixed exterior lighting shall be directed away from adjacent sites and roads; and</u> ii <u>No activity on any site shall result in greater than a 3.0 lux spill (horizontal and vertical) of light onto any other site measured at any point inside the boundary of the other site, provided that this rule shall not apply where it can be demonstrated that the design of adjacent buildings adequately mitigates such effects.</u> iii <u>There should be no upward light spill</u> <p>Note: <u>You are also referred to Part 18 of the District Plan relating to the lighting of signage.</u></p>									
8	<p><u>Fence Heights in relation to open space areas</u></p> <ul style="list-style-type: none"> i. <u>Fences, excluding post and wire fences, within any fixed open space area shown on the Structure Plan or an open space approved as part of an Outline Development Plan shall be no higher than 1.2m in height.</u> ii <u>Fences, excluding post and wire fences, located on or within 4 m of the boundary of an open space area identified on the Structure Plan or approved as part of an Outline Development Plan shall be no higher than 1.2m in height. This excludes fences which are at right angles to the boundary between the subject site and the open space.</u> 	RDIS								
9	<p><u>The provision of end-destination facilities to encourage people to travel to work using modes other than cars</u></p> <p><u>All buildings shall provide the following:</u></p> <ul style="list-style-type: none"> i <u>Lockers – where the building design occupancy is for more than 4 on-site workers, individual clothes lockers shall be provided for 20% of all on-site workers, rounded up to the nearest whole number. These shall be located convenient to any showers that exist and bicycle parking facilities.</u> ii <u>Showers - Showers shall be provided at the following ratios and these shall be located close to the bicycle parking and lockers and at least one shower shall be a wheelchair accessible shower compartment:</u> <table border="1" data-bbox="248 1299 1319 1426"> <thead> <tr> <th><u>Number of on-site workers (building design occupancy)</u></th> <th><u>Number of Showers</u></th> </tr> </thead> <tbody> <tr> <td><u>1-9</u></td> <td><u>Nil</u></td> </tr> <tr> <td><u>10 - 39</u></td> <td><u>1</u></td> </tr> <tr> <td><u>40-100</u></td> <td><u>2</u></td> </tr> </tbody> </table>	<u>Number of on-site workers (building design occupancy)</u>	<u>Number of Showers</u>	<u>1-9</u>	<u>Nil</u>	<u>10 - 39</u>	<u>1</u>	<u>40-100</u>	<u>2</u>	RDIS
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Ref	Standards	Resource consent status if standard not met
	<p>(iii) night-time (2000 to 0800 hrs) 70 dB L_{AFmax}</p> <p>(b) <u>Sound from non-residential activities which is received in another zone shall also comply with the noise limits set in the zone standards for that zone.</u></p> <p>(c) <u>The noise limits in (a) shall not apply to construction sound which shall be assessed in accordance with NZS 6803:1999.</u></p> <p>(d) <u>The noise limits in (a) shall not apply to sound from sources outside the scope of NZS 6802:2008. Sound from these sources shall be assessed in accordance with the relevant New Zealand Standard, either NZS 6805:1992, NZS 6807:1994 or NZS 6808:1998.</u></p> <p><u>Note: For the purpose of this rule, a road that is located outside this zone is not deemed to be a “site outside this zone” and, as such, the noise levels specified in a) above may be exceeded on road reserves adjacent to this zone.</u></p>	
12	<p><u>Rear Sites shown on an Outline Development Plan</u></p> <p>i <u>No more than 10% of all sites shown on the indicative subdivision layout provided as part of an Outline Development Plan may be “rear sites” Note: Refer Section D for a definition of ‘rear site’.</u></p>	N-C
13	<p><u>Outline Development Plans</u></p> <p><u>All activities and development shall be in accordance with an approved Outline Development Plan; except that:</u></p> <ul style="list-style-type: none"> • <u>The Outline Development Plan need not include any land outside the Connel Terrace Precinct boundary shown on the Structure Plan entitled “Industrial B Zone - Connel Terrace Precinct”</u> • <u>Landscaping of the open spaces identified on the Structure Plan may occur prior to the approval of an ODP provided it is in accordance with an approved resource consent for that landscaping.</u> <p><u>Note: The intent of this rule is ensure that an Outline Development Plan has been submitted and approved prior to any other resource consent being applied for.</u></p>	N-C
14	<p><u>Extent of the Outline Development Plan</u></p>	N-C

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Ref	Standards	Resource consent status if standard not met
	<p>An Outline Development Plan shall include at least all that land contained within a single the relevant Structure Plan, as follows.</p> <ul style="list-style-type: none"> • <u>The Connel Terrace Precinct Structure Plan, except that the Outline Development Plan need not include any land outside the Connel Terrace Precinct boundary shown on the Structure Plan entitled "Industrial B Zone - Connel Terrace Precinct."</u> 	
15	<p><u>The creation of fixed roads as shown on the relevant Structure Plan</u></p> <p>No Outline Development Plan, subdivision, or development shall prevent the creation of any fixed road shown on the relevant Structure Plan</p>	N-C
16	<p><u>Structure Plan</u></p> <p>All activities and development (including buildings and applications for ODP's) shall be in accordance with the relevant Structure Plan, except that:</p> <ul style="list-style-type: none"> i Any fixed connection points shown on the relevant Structure Plan may be moved up to 20 metres ii Any fixed roads shown on the relevant Structure Plan may be moved up to 50 metres in any direction in order to enable more practical construction or improved layouts and/ or to allow for minor inaccuracies in the plan drafting. iii The boundaries of any fixed open spaces shown on the relevant Structure Plan may be moved up to 5 metres. iv All indicative roads and any other elements shown as 'indicative' on the relevant Structure Plan may be moved or varied provided they are generally in accordance with and achieve the relevant Structure Plan and the relevant objectives and policies. v Where a boundary (or boundaries) has been expressly approved as part of a subsequent, more detailed ODP, then that subsequent boundary (or boundaries) shall take precedence over that shown in the relevant Structure Plan. 	N-C
17	<p><u>Access</u></p> <p>Each lot shall have legal access to a formed road.</p>	N-C
18	<p><u>Building coverage within the Special Use Area A identified on the Structure Plan</u></p> <p>The maximum building coverage shall be 30%</p>	N-C
19	<p><u>Earthworks in the fixed open space areas</u></p>	N-C

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Ref	Standards	Resource consent status if standard not met
	<p>(i) <u>There shall be no excavation within the fixed open space areas identified on the relevant Structure Plan;</u></p> <p><u>Note: Any ODP or Landscape Plan which proposes excavation will become non complying.</u></p> <p>(ii) <u>All earthworks within the fixed open space areas identified on the relevant Structure Plan shall be in accordance with an approved ODP or Landscape Plan.</u></p>	
20	<p><u>Landscaping within areas shown as fixed open space areas</u></p> <p><u>Landscaping within areas shown as ‘fixed open space’ on the relevant Structure Plan shall be in accordance with an approved landscape plan</u></p>	N-C
21	<p><u>Outdoor storage of any goods within the open space areas or Special Use Area C</u></p> <p><u>There shall be no outdoor storage of any goods within the open space areas or Special Use Area C identified on the relevant Structure Plan.</u></p> <p><u>Refer to Section D for the Definition of “Outdoor Storage”.</u></p>	N-C
22	<p><u>The timing of building: Within the Connel Terrace precinct boundary shown on the Structure Plan entitled “Industrial B Zone - Connel Terrace Precinct”, there shall be no building on land with a ground level higher than 323 mamsl until 70% of the western boundary planting in combination with the mounding has reached a minimum combined height of 6 metres and a continuous screen in the horizontal plane’</u> all consent conditions relating to the landscaping of the open spaces have been fulfilled.</p> <p>Note: The conditions of the resource consent approving the ODP or landscaping is expected to specify the minimum period and/ or planting height that is required prior to building or subdivision occurring and impose maintenance requirements</p>	N-C

4. *Add a new section 11.6 Resource Consents – Assessment Matters - Industrial B Zone as follows:*

11.6 Resource Consents - Assessment Matters - Industrial B Zone

11.6.1 Controlled Activities – Matters over which control is reserved and Assessment Matters

i Controlled buildings – conditions may be imposed in respect of:

- (a) Landscaping,
- (b) External appearance (including signage, the colour of the building and, in particular, the extent of corporate colours used),
- (c) The ability to service the building(s), in terms of roading, water supply, and waste water.
- (d) The inclusion of initiatives which help reduce private car use and encourage alternative modes of transport (i.e. this is typically referred to as “Travel Demand Management”).
- (e) Waste and recycling storage space
- (f) The extent to which stormwater is proposed to be treated at each site, in order to improve the quality of stormwater being disposed of.

ii Controlled Buildings – Assessment matters

In considering whether or not to impose conditions, the Council shall have regard to, but not be limited by the following assessment matters:

- (a) Whether and to what extent the external appearance (including the colour of the building (including that of the roof) and, in

particular, the extent of corporate colours used, lighting and signage) avoids or mitigates adverse effects on:

- (i) The street scene and the views from private residential properties and public places beyond the zone.

The council expects colours to be recessive and to have low reflectivity

- (b) Whether the landscaping will improve the visual appearance of the site, buildings, outdoor storage areas, and carparking areas, taking account of:

- (i) The nature of planting or materials to be used,
- (ii) The ease of maintenance, and
- (iii) The size of the plants and/ or the time it will take for the plants to mature.

- (c) Whether, in the Connel Terrace Precinct, tree planting has been proposed within the landscape buffer areas shown on the Structure Plan which will effectively ‘break up’ the built form within the zone.

- (d) Whether and to what extent initiatives are proposed, which help reduce private car use and encourage alternative modes of transport (i.e. Travel Demand Management). The Council would normally expect the following to have been provided:

- (i) Cycle and motorcycle parking in a manner which encourages people to travel by these modes.
- (ii) Shower and locker facilities for work places, so employees who choose to walk, run, or cycle to work can shower and store clothing.
- (iii) Effective lighting and signage aimed at assisting someone entering the site or building by foot or bike.

- (e) Whether adequate space has been provided either within or outside the building(s) in order to enable the separation and storage of waste for recycling

iii **Outdoor Storage Areas**

Conditions may be imposed in respect of landscaping, screening, appearance and visual impact.

iv **Outdoor storage – Assessment matters**

In considering whether or not to impose conditions, the Council shall have regard to, but not be limited by, the assessment matters listed in 11.4.2(ii) for the ~~district-wide~~ Business and Industrial (A) zones.

11.6.2 **Restricted discretionary Activities – Matters over which discretion is reserved and Assessment Matters**

i **Matters of discretion – For any Outline Development Plan, discretion is reserved in respect of:**

- (a) The indicative subdivision/ development layout, including roading design details.
- (b) Open space areas and pedestrian and cycle links
- (c) Earthworks,
- (d) Landscaping and streetscape design
- (e) Any proposed design guidelines.
- (f) Initiatives which help reduce private car use and encourage alternative modes of transport (i.e. Travel Demand Management).
- (g) The provision of Public Transport facilities and/or infrastructure or space to enable its future development.

- (h) The location and indicative design of carparking and manoeuvring areas, acknowledging that this will need to be further refined as part of subsequent land use consents once exact requirements are known.

- (i) The provision of infrastructure to service the development such as water, sewage treatment, stormwater, lighting, power and telecommunications facilities.

- (j) Measures to address any adverse effects resulting from any contaminated sites.

ii **Outline Development Plan - Assessment Matters**

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) In regard to the indicative **subdivision/ development layout**:
 - (i) Whether the road layout is efficient, legible, and pedestrian-friendly. The Council expects roading layouts and hierarchies (ranging from collector roads to service lanes) to be easy to navigate. The Council expects roading cross sections to be provided, which illustrate the width, character, landscaping, anticipated speed environment.
 - (ii) With regard to the location of fixed roads, the Council will only allow these to move more than 50 metres provided the integrity of the Structure Plan is not compromised and only for the following specific reasons:
 - a. Where there are key infrastructure matters that make the indicated path of the roads impracticable (for example land needed for stormwater management); and/ or
 - b. More appropriate subdivision patterns and street layouts will result from the movement of the collector road.

- (iii) Whether the urban structure is well-connected and cul de sacs avoided
- (iv) Whether the number of rear sites have been minimised. The Council will expect to see rear sites avoided unless alternative street layouts would result in a worse outcome in terms of traffic congestion, connectivity/ walk-ability, or safety.
- (v) Whether the lot configuration, dimensions, and orientation will result in lots that maximise solar gain and have logical boundary lines.
The Council will not normally approve designs that result in awkward, irregular boundaries and which do not achieve the above outcomes.
- (vi) Whether and to what extent the Outline Development Plan incorporates the various open spaces identified on the Structure Plan. The Council will expect the Outline Development Plan to include all the open spaces shown on the Structure Plan.
- (vii) Whether open spaces and the urban form are designed in accordance with principles of Crime Prevention through Environmental Design (CPTED).
- (viii) Whether the public open spaces (if any) form part of an open space network which provides pedestrian and cycle linkages to other open space, community facilities, and other zones
- (ix) Whether and to what extent dedicated, direct and safe **pedestrian and cycle links** are provided. The council will expect footpaths to be provided along fixed roads and other roads where people are expected to walk (e.g. to/ from any foot-related retail such as a café and to/ from bus stops and off-street pedestrian connections. Where off-street links are proposed these should be straight, well lit, at least 4 metres in width and no more than 75 m long.

- (x) Whether a detailed **Landscape Plan** has been provided for all open space areas and proposed road reserves with the Outline Development Plan, unless previously approved as part of a resource consent for landscaping. The Council will expect the landscape plan to:
- (xi) Clarify the use of the space and for this to be designed/ planted accordingly;
- (xii) Identify the range of plant species proposed, including evergreen species where year-round screening of the development is required
- (xiii) Outline the long term ownership, management, and maintenance regime for the open spaces
- (xiv) Maintain important viewshafts, where they exist
- (xv) In respect of the western buffer shown on the Connel Terrace Precinct Structure Plan, the Council expects the mounding and planting to provide effective mitigation in respect of noise attenuation and visual amenity. To achieve this the Council expects either a combination of naturalistic mounding of 2-3 metres in height, and predominantly evergreen planting of around 5-6 metres in height or, in the absence of any mounding, a 30 metre strip of dense predominantly evergreen planting of at least 8 metres in height is required in order to provide effective mitigation.

Note: Any change to the landscape plan will require a Variation to the Outline Development Plan.

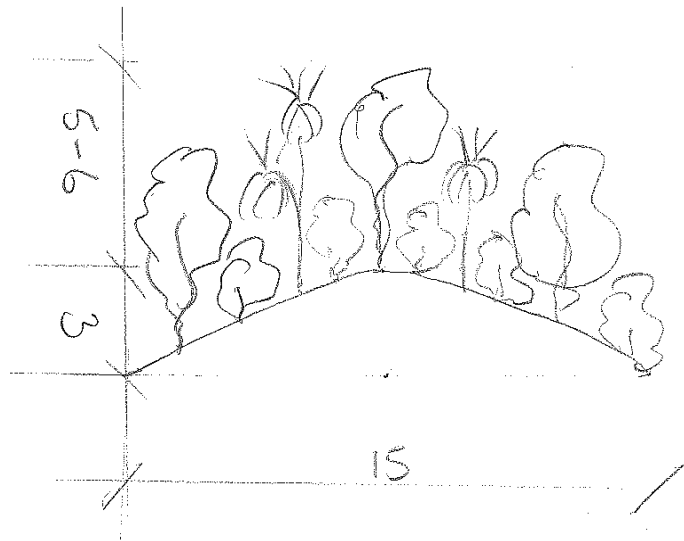


Fig 1: 15m buffer with 3m mound and dense planting to 5 or 6m.

(b) In regard to **transportation and reducing car trips/ trip distances**, the Council will consider:

- (i) Whether an Integrated Transport Assessment (ITA) has been provided which outlines how the proposed land use/urban design will affect the sustainability of transportation. The Integrated Transport Assessment should cover all those matters listed in the Council's guide on the subject. Refer to Council guidelines relating to ITA.
- (ii) Note: Any ODP application which will enable over 5,000 m² GFA of industrial or service space or over 10,000 m² GFA of warehousing or storage space to be developed, shall include an Integrated Transport Assessment (ITA).

(iii) Whether adequate space has been provided in the road reserve for a bus stop to be located every 400 m along any bus route as identified by the Council.

(c) Regarding the **management of stormwater**, the ODP is expected to identify stormwater collection and reticulation methods and the area(s) which will be developed as stormwater treatment and disposal facilities, which will be capable of:

- (i) Collecting all stormwater runoff from the land included within the ODP application including roads, berms, reserves and private properties.
- (ii) Ensuring that the rate of stormwater discharge remains equal to or less than that of pre-development up to the 1 in 100 year average recurrence interval event; and
- (iii) Ensuring that the quality of stormwater discharge shall remain equal to or better than that of pre-development; and
- (iv) Ensuring that the disposal of stormwater is managed to avoid erosion, land instability and property damage.
- (v) Reticulating all the collected stormwater runoff from the area covered by the ODP to the designated stormwater treatment and disposal areas
- (vi) Ensuring that all stormwater runoff flows from the area covered by the ODP, will be treated and disposed to ground in a long term sustainable manner
- (vii) Managing stormwater runoff flows generated by a 100 year average return interval
- (viii) Managing the anticipated increase in flows arising from climate change

- (ix) Being practically and efficiently maintained. The design is expected to enable efficient remediation of treatment facilities, efficient maintenance of the treatment and disposal facilities, appropriate landscaping of the area facilities, and efficient and practical maintenance and remediation of such landscaping (be it planted areas, grassed areas, or wetlands).
- (d) Regarding earthworks and whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the assessment matters contained in Section 11.4.2(xi) of the District Plan and, in addition:
 - (i) With regard to impacts on sites of cultural heritage value, whether the applicant has committed to complying with the Accidental Discovery Protocol, as outlined in Appendix 6 of the Ngai tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008.
 - (ii) Whether and to what extent the earthworks on the open space areas will, together with landscaping, contribute to effective noise attenuation and the screening of development within the zone from surrounding existing and future residential zones.
- iii **Matters of discretion – For a Landscape Plan, discretion is reserved in respect of:**
 - (a) The plant species proposed,
 - (b) The management and maintenance regime
 - (c) The maintenance of any important viewshafts,
 - (d) The requirements of the government Emissions Trading Scheme (ETS) criteria, where relevant
 - (e) The extent and nature of the proposed earthworks

iv **Landscape Plan - Assessment Matters**

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by the assessment matters listed in 11.6.2(ii)(x) and 11.6.2(iii) above, relating to the landscape plan and earthworks required as part of the ODP.

11.6.3 **Assessment matters relating to performance standards**

i **Building setbacks from Residential zones – Assessment Matters**

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

- (a) The extent to which the building encroaches into the building setback.
- (b) Whether an acoustic assessment has been provided, which concludes that the setback is not required for noise mitigation purposes due to, for example, the specific topographical characteristics of the site, the design of the building, noise attenuation measures proposed, or covenants on the title limiting the noise able to be generated from the site and/ or the type of uses that may operate from the site.
- (c) Whether the topography or other site characteristics are such that the building will not be visible from the Residential zone. The Council will carefully consider the degree to which the visibility is reliant on vegetation being established/ retained/ maintained and the measures proposed to ensure that such mitigation occurs and is maintained.
- (d) Whether the scale and external appearance of the building is compatible with the residential neighbourhood.

ii Outdoor Storage Areas – Assessment Matters

Refer to those assessment matters listed for the Business and Industrial (A) zones in 11.5.2(ix) entitled Visual Amenity.

iii Hours of operation

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by:

- (a) The size of the site and the distance between the activity and residential properties.
- (b) Whether a road separates the site from Residential zone properties, thereby potentially reducing the effect of the activity operating outside the permitted hours.
- (c) The extent of proposed traffic to and from the site outside the permitted hours, the type of vehicles, and the location of the manoeuvring and loading areas, and site access.

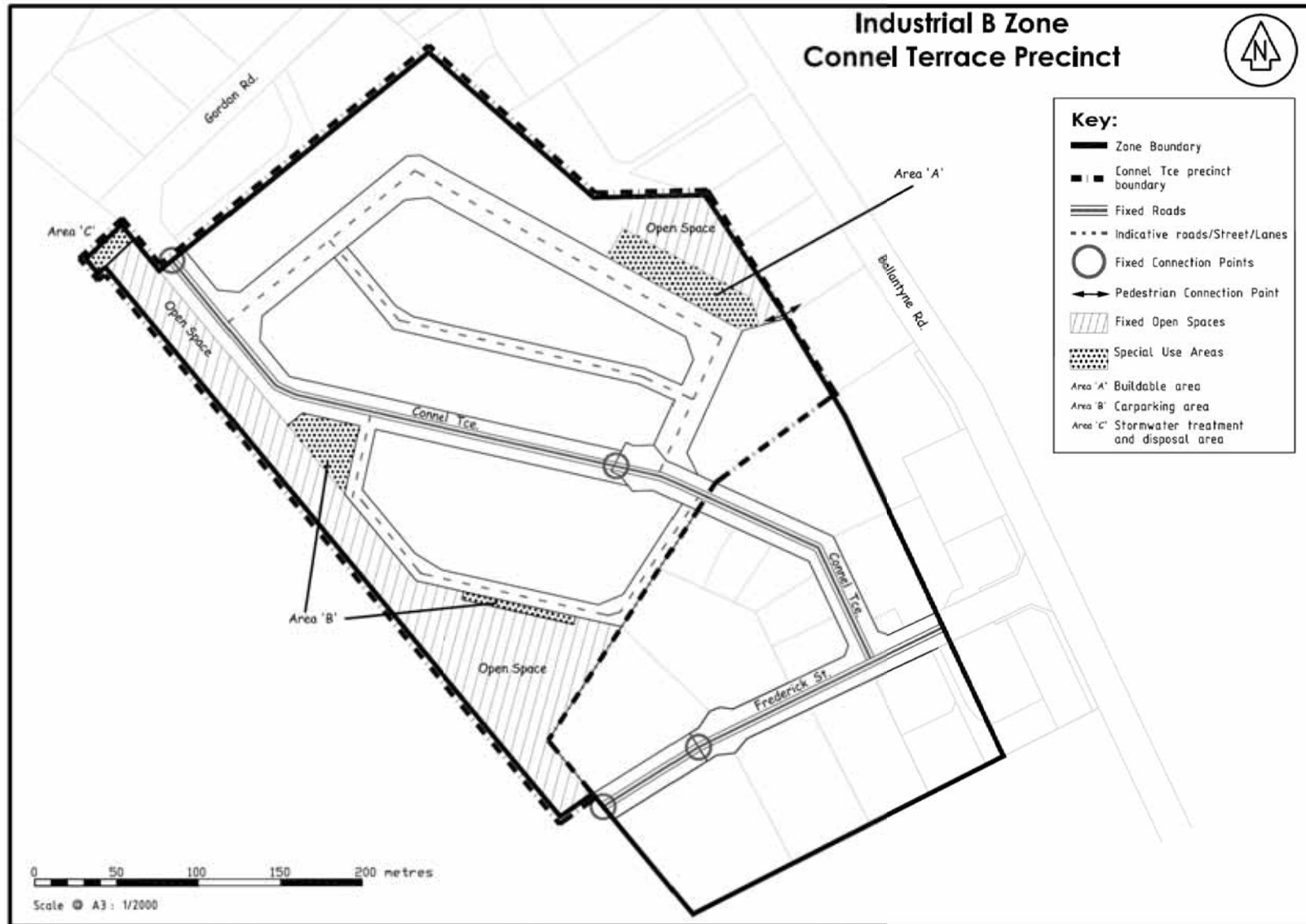
iv Earthworks – Assessment Matters

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the assessment matters contained in Section 11.4.2(xi) of the District Plan and, in addition:

- (a) With regard to impacts on sites of cultural heritage value, whether the applicant has committed to complying with the Accidental Discovery Protocol, as outlined in Appendix 6 of the Ngai tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008.

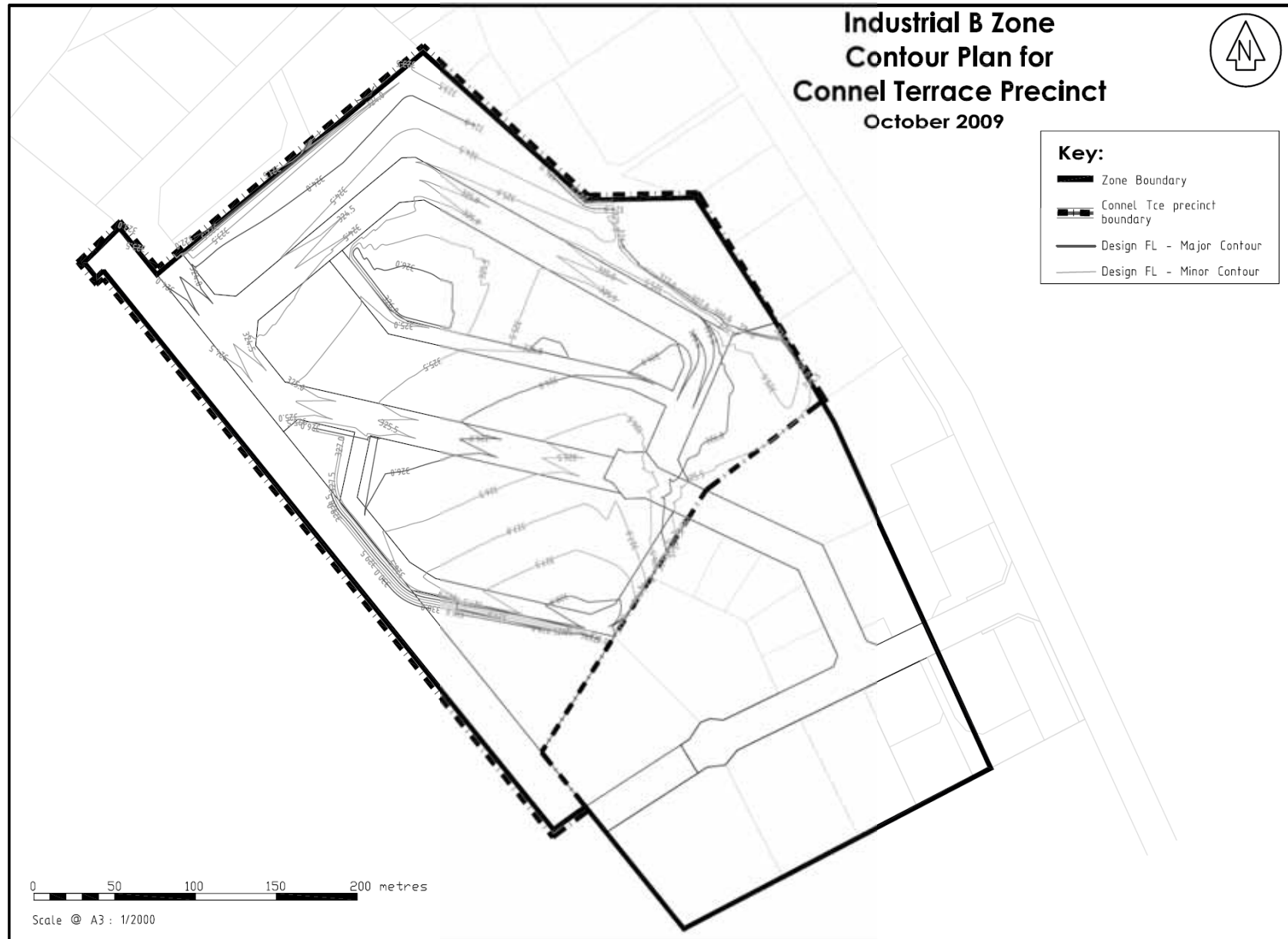
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5. **Amend section 14.2 Transport – Rules as follows:**

14.2.2.2 Controlled Activities

The following shall be **Controlled Activities** provided they are not listed as a **Discretionary Activity** and comply with all the relevant **Site Standards**. The matter in respect of which the Council has reserved control and listed with each **Controlled Activity**:

i Car Parking Areas in the Town Centre, Business, Industrial (A), and Industrial B Zones, Ballantyne Road Mixed Use Zone, Corner Shopping Centre Zone and Activity Area 2 of the Kingston Village Special Zone.

Car parking areas in respect of their access, location, landscaping, separation from pedestrians, compatibility with surrounding activities and method of provision in the Town Centre, Business, Industrial, Corner Shopping Centre Zones and Activity Area 2 of the Kingston Village Special Zone.

...
14.2.4 Site Standards

14.2.4.1 Parking and Loading

...
xi Loading Areas

- (a) The following provisions shall be made for off-street loading on every site in the Business, Industrial (A), Industrial B, Town Centre, Frankton Corner Shopping Centre Zones and Activity Area 2 of the Kingston Village Special Zone except on sites where access is only obtained from the following roads:

6. **Amend section 14.3 Resource Consents – Assessment Matters: Transport as follows:**

...
14.3.2 Assessment matters

...
iii Parking and Loading Provision

- (a) Whether it is physically practicable to provide the required parking or loading spaces on the site in terms of the existing location of buildings, access to the road, topography and utility location.
- (b) Whether there is an adequate alternative supply of parking or loading spaces in the vicinity. In general on-street parking is not considered an alternative.
- (c) Whether there is another site in the immediate vicinity that has available parking or loading spaces which are not required at the same time as the proposed activity. In such a situation the Council will require the associated parking or loading spaces to be secured in some manner.
- (d) Whether a demonstrably less than normal incidence of parking or loading will be generated by the proposal, such as due to specific business practice, type of customer, bus transportation.
- (e) Whether the Council is anticipating providing public car parking that would serve the vicinity of the activity.
- (f) Whether a significant adverse effect on the character and amenity of the surrounding area, particularly pedestrian amenity and safety, will occur as a result of not providing the required parking or loading space.
- (g) The extent to which the safety and efficiency of the surrounding roading network would be adversely affected by parked and manoeuvring vehicles on the roads.
- (h) Any cumulative effect of the lack of on-site parking and loading spaces in conjunction with other activities in the vicinity not providing the required number of parking or loading spaces.
- (i) Whether there is efficient public transport within the vicinity of the proposed activity.

- (j) The proximity of residential areas, visitor accommodation, commercial offices or other mixed use developments to the proposed activity, and the ability for people to walk to and from the site.
- (k) Where there is any consideration to any requirement for coach parking recognition be given to the availability of designated coach parking provided off site.
- (l) Where a reverse manoeuvre is undertaken from a rear site whether the effects are mitigated by the width of access and visibility at the road boundary.
- (m) The extent to which the visual amenity of surrounding public spaces may be adversely affected by rooftop parking, and the potential for mitigation of rooftop parking.
- (n) The extent to which visitor accommodation can demonstrate a lesser parking demand and/or can demonstrate that potential for conversion to permanent residential accommodation is precluded.

15 Subdivision, Development and Financial Contributions

7. Add the following Objectives and Policies:

15.1 Issues, Objectives and Policies

...

Objective 8 Industrial B Zone

In the Industrial B zone, a high quality, functional area that provides for a wide range of business, industrial, service and trade-related activities and avoids residential, office, and most retail uses.

Policies

- 8.1 To avoid development that is not in accordance with the relevant Structure Plan or approved Outline Development Plans.
- 8.2 To ensure that development and subdivision only occurs where either the necessary infrastructure exists to service it, or temporary measure(s) have been agreed to by the council and the applicant has committed to connect to the council reticulated system once available.
- 8.3 Other than ancillary retail and that retail specifically permitted by the rules, all other retail shall be avoided in order to:
- 8.3.1 Preserve the zone for those uses that are specifically enabled; and

8.3.2 Ensure that the vibrancy of the existing town centres and the mixed use and commercial core areas of the Frankton Flats and Three Parks Zones is not undermined.

8.3.3 Prevent the further distribution of retail across numerous areas and to, therefore encourage continued consolidation of retail activity in those areas intended for that purpose.

8.4 Residential and office activities shall be prevented in order to avoid reverse sensitivity issues and to preserve the zone for industrial and service activities

8.5 Small lot subdivision shall be avoided unless combined with a landuse Resource Consent, which illustrates how a complying development can occur on the site(s).

8.6 Adequate road access and on-site loading and manoeuvring areas shall be provided for heavy vehicles in order to prevent i) any loading or manoeuvring from occurring within the road corridor and ii) any large vehicles (truck and trailer units) having to reverse out of a site onto a road.

8.7 To ensure the provision of adequate loading zones in the design and layout of the zone, as well as on site loading at the time of development.

8.8 To require street layouts and design to:

8.8.1 Be well-connected, with cul-de-sacs being avoided wherever connected streets would offer greater efficiency and amenity

8.8.2 Minimise the creation of rear sites.

8.8.3 Be safe for vehicles, cyclists, and pedestrians.

8.8.4 Minimise opportunities for criminal activity through incorporating "Crime Prevention Through Environmental Design" (CPTED) principles as appropriate in the design of lot configuration and the street network, car parking areas, lighting, public and semi-public spaces, access ways, landscaping, fencing, and the location of compatible uses.

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8.9 To recognise that the relocation of a fixed road by more than 50 metres or a fixed connection point by more than 20 metres (from that shown on the Structure Plan) is likely to significantly affect the integrity of the Structure Plan and should be avoided.

Objective 9 Industrial B Zone

In the Industrial B zone, effective mitigation of a) the adverse visual effects of business and industrial development, when viewed from public and private places and b) the adverse nuisance effects which can arise where business and industrial zones adjoin residential zones.

Policies

9.1 To ensure that the fixed open spaces shown on the relevant Structure Plan are provided in order to separate and partially screen the zone from adjacent existing or future residential zones and to minimise the adverse effects of development from both public and private places.

Objective 10 Industrial B Zone

In the Industrial B Zone, a street layout that helps to reduce car use and provides practical alternatives.

Policies

10.1 To require that the street layout and cycle and walking networks are designed to:

10.1.1 Enable public transport to efficiently service the area, now or in the future; and

10.1.2 Reduce travel distances through well-connected streets; and

10.1.3 Provide safe, attractive, and practical routes for walking and cycling, which are well-linked to existing or proposed passenger transport and that are well-connected to other areas beyond the zone.

Objective 11 Industrial B Zone

In the Industrial B Zone, a subdivision layout and built form that demonstrates best practice in terms of achieving environmental sustainability

Policies

11.1 To ensure, through the street layout, that buildings are located and orientated in a way that achieves good solar access

11.2 To incorporate stormwater and sediment management options that ensure that:

11.2.1 The rate of discharge remains equal to or less than that of pre-development

11.2.2 The quality of the water in that discharge remains equal to or better than that of pre-development.

15.2 Subdivision, Development and Financial Contributions Rules

8. Add to 15.2.3.4 Non complying Subdivision Activities

xi Industrial B Zone – Any subdivision that is not in accordance with the relevant Structure Plan unless a variation has been expressly approved as part of a subsequent, more detailed ODP, except that:

- (a) Any fixed connection points shown on the relevant Structure Plan may be moved up to 20 metres
- (b) Any fixed roads shown on the relevant Structure Plan may be moved up to 50 metres in any direction in order to enable more practical construction or improved layouts and/ or to allow for minor inaccuracies in the plan drafting.
- (c) The boundaries of any fixed open spaces shown on the relevant Structure Plan may be moved up to 5 metres.
- (d) All indicative roads and any other elements shown as ‘indicative’ on the relevant Structure Plan may be moved or varied provided they are generally in accordance with and achieve the relevant Structure Plan and the relevant objectives and policies.
- (e) Where a boundary (or boundaries) has been expressly approved as part of a subsequent, more detailed ODP, then that subsequent boundary (or boundaries) shall take precedence over that shown in the relevant Structure Plan.

Note: An ODP that in any way obstructs or does not specifically provide for the roading connections to land or roads adjoining the zone, in the manner shown on the Structure Plan will be processed as a non complying activity.

xii Industrial B Zone - Any subdivision that is not in accordance with an approved Outline Development Plan (ODP).

Note: The intention of this rule is to ensure that an ODP is submitted and approved prior to a subdivision consent being applied for.

xiii Industrial B Zone – Any subdivision of the open space areas shown on the Structure Plan prior to 70% of the western boundary planting in combination with the mounding having reached a minimum combined height of 6 metres and a continuous screen in the horizontal plane’

~~fulfilling all consent conditions relating to the landscaping of the open spaces in accordance with any approved landscape plan.~~

~~Note: The conditions of the resource consent approving a Landscape Plan, either as part of the ODP or as a separate consent, would be expected to specify the minimum period and/ or planting height that is required prior to development occurring.~~

9. Add the following to 15.2.6.3 Zone Subdivision Standards – Lot Sizes and Dimensions

15.2.6.3 Zone Subdivision Standards – Lot Sizes and Dimensions

Any subdivision of land which does not comply with any one or more of the following Zone Standards shall be a **Non-Complying Subdivision Activity**.

...

i Lot Sizes

- (a) No lots to be created by subdivision, including balance lots, shall have a net area less than the minimum specified for each zone in the Table below, **except** as provided for in (c), (d) and (e) below.

...

[Add the following table immediately following the existing tables:]

Zone	Minimum Lot Area
------	------------------

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Industrial B Zone	1000 m ² ; <u>Except that the minimum lot size shall be 200m² where the subdivision is part of a complying combined land use/ subdivision consent application or where each lot to be created, and the original lot, all contain at least one business unit.</u>
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...

(c) The standards for lot sizes for allotments created by boundary adjustment in the Rural General Zone are:

- (i) each of the existing lots must have a separate Certificate of Title.
- (ii) Any approved residential building platform must be retained in its approved location; and
- (iii) No new residential building platforms shall be identified and approved as part of the boundary adjustment; and
- (iv) There must be no change in the number of residential building platforms or residential buildings per lot; and
- (v) There must be no change in the number of non-residential buildings per lot; and
- (vi) The adjusted boundaries must not create non-compliance with any Part 5 Rural General Zone site and zone standards;
- (vii) No additional saleable lots shall be created.

(d) Access, Utilities, Roads and Reserves

Notwithstanding 15.2.6.2 and 15.2.6.3 i(a) above, there shall be no specified minimum lot sizes or dimensions in any zone for lots for access, utilities, roads and reserves.

(e) Savings as to Previous Approvals (Existing Use Rights)

Notwithstanding 15.2.6.2 and 15.2.6.3 i(a) above:

there shall be no minimum lot sizes or dimensions in any zone, for vacant shares of fee simple titles over which there is/are existing cross leases or company leases or for unit titles where a proposed unit development plan has been granted subdivision consent, provided all relevant rules applicable within the zone are complied with by the building(s) erected or to be erected on the respective cross lease, company lease or unit title; where a certificate of compliance has been issued for a building and that certificate has not lapsed, and where a lot is to be created after the erection of that building, or the subdivision and building consents are issued in conjunction, the minimum area of the lot shall be the area of the site of the building as approved by the certificate of compliance.

vii The creation of rear sites in the Industrial B Zone

No more than 10% of all sites shown on a subdivision scheme plan may be "rear sites"; except that

- (a) Any rear sites resulting from the subdivision of an existing building shall not be deemed to be 'rear sites' for the purpose of standard 15.2.6.3.

Note: Refer Section D for a definition of 'rear site'.

viii In the Industrial B Zone, any application for subdivision within the fixed open space areas identified in the relevant Structure Plan prior to fulfilling all consent conditions relating to the landscaping of the open spaces in accordance with any approved Landscape Plan.

Note: The conditions of the resource consent approving the ODP or landscaping is expected to specify the minimum period and/ or planting height that is required prior to building or subdivision occurring and impose maintenance requirements

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ix Within the Connel Terrace Precinct of the Industrial B Zone, any application for subdivision of the Special Use Area A from the adjoining open space area.

- timber and building materials.

10. Add the following to the Definitions Section

DEFINITIONS

AUTOMOTIVE AND MARINE SUPPLIER (Industrial B Zone)

Means a business primarily engaged in selling automotive vehicles, marine craft, accessories to and parts for such vehicles and craft, and without limiting the generality of this term, includes suppliers of:

- boats and boating accessories;
- cars and motor cycles;
- auto parts and accessories;
- trailers, caravans, and motor homes; and
- tyres and batteries.

BUILDING SUPPLIER (Industrial B Zone)

Means a business primarily engaged in selling goods for consumption or use in the construction, modification, cladding, fixed decoration or outfitting of buildings and without limiting the generality of this term, includes:

- glaziers;
- locksmiths; and
- suppliers of:
 - awnings and window coverings;
 - bathroom, toilet and sauna installations;
 - electrical materials and plumbing supplies;
 - heating, cooling and ventilation installations;
 - kitchen and laundry installations, excluding standalone appliances;
 - paint, varnish and wall coverings;
 - permanent floor coverings;
 - power tools and equipment;
 - safes and security installations; and

FARMING AND AGRICULTURAL SUPPLIER (Industrial B Zone)

Means a business primarily engaged in selling goods for consumption or use in the business operations of primary producers or in animal husbandry and without limiting the generality of this term, includes:

- equestrian and veterinary suppliers;
- farming and horticultural equipment suppliers;
- seed and grain merchants; and
- stock and station outlets;

FOOD AND BEVERAGE OUTLET (Industrial B Zone)

Means the use of land or buildings primarily for the sale of food and/or beverages prepared for immediate consumption on or off the premises to the general public. It includes restaurants, cafes and takeaway bars, and excludes supermarkets.

GARDEN AND PATIO SUPPLIER (Industrial B Zone)

means a business primarily engaged in selling goods for permanent exterior installation or planting and without limiting the generality of this term, includes:

- garden centres;
- landscape suppliers; and
- suppliers of:
 - bark and compost;
 - clothes hoists and lines;
 - conservatories, sheds and other outbuildings;
 - fencing, gates and trellises;
 - firewood;
 - garden machinery;
 - outdoor recreational fixtures and installations;
 - monumental masonry;
 - patio furniture and appliances;
 - paving and paving aggregates;
 - statuary and ornamental garden features; and
 - swimming and spa pools

GROUND LEVEL

Ground Level means:

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	<p>The surface of the ground prior to any earthworks on the site, except that where the surface of the ground has been altered through earthworks carried out as part of a subdivision under the Resource Management Act 1991 or Local Government Act 1974 “ground level” means the finished surface of the ground following completion of works associated with the most recently completed subdivision.</p> <p>1.</p> <p>This definition does not affect or supersede the definition of “Ground Level” for the Remarkables Park Zone <u>or the Industrial B Zone (Connel Terrace Precinct).</u></p>
<p>GROUND LEVEL (Industrial B Zone – Connel Terrace Precinct)</p>	<p>For the Industrial B Zone (Connel Terrace Precinct) the ground level is as shown on the contour plan entitled the “Contour Plan for the Connel Terrace Precinct” and dated October 2009.</p>

<p>OFFICE FURNITURE, EQUIPMENT AND SYSTEMS SUPPLIERS (Industrial B Zone)</p>	<p>Means a business primarily engaged in selling goods for office-type use or consumption and without limiting the generality of this term, includes suppliers of:</p> <ul style="list-style-type: none"> • <u>computers and related equipment;</u> • <u>copiers, printers and facsimile machines;</u> • <u>integrated telephone systems and equipment; and</u> • <u>office furniture, equipment and utensils.</u>
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<p>ON-SITE WORKERS (Industrial B Zone)</p>	<p>Means the maximum number of workers that the building has been designed to accommodate at any one time. This may include consultants as well as employees.</p>
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<p>SECONDHAND GOODS OUTLET (Industrial B Zone)</p>	<p>Means a business primarily engaged in selling pre-used merchandise and without limiting the generality of this term, includes:</p> <ul style="list-style-type: none"> • <u>antique dealers;</u> • <u>auctioneers;</u>
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	<ul style="list-style-type: none"> • <u>charity shops;</u> • <u>pawnbrokers;</u> • <u>secondhand shops (including retail associated with recycling centres); and</u> • <u>suppliers of:</u> <ul style="list-style-type: none"> • <u>demolition goods and materials; and</u> • <u>trade-in goods.</u>
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<p>WHOLESALE (Industrial B Zone)</p>	<p>Means a business engaged in the storage and distribution of goods to businesses (including retail activities) and institutional customers</p>
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<p>YARD BASED SUPPLIER (Industrial B Zone)</p>	<p>means any retail activity selling or hiring products for construction or external use (which, for the avoidance of doubt, includes activities such as sale of vehicles and garden supplies), where more than 50% of the area devoted to sales or display is located in covered or uncovered external yard or forecourt space as distinct from within a secured and weatherproofed building. For the purpose of this definition, areas of a site providing rear access and all other areas devoted to customer, staff and service vehicle access and parking (including parking driveways) are not to be included in the extent of yard area devoted to sales or display. Drive-in or drive-through covered areas devoted to storage and display of construction materials (including covered vehicle lanes) will be deemed yard space for the purpose of this definition.</p>
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PLAN CHANGE 36 – INDUSTRIAL B ZONE

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11. Amend the District Plan maps to show the new zone as follows

