

4.7 URBAN RESOURCE AREA

4.7.1 - OVERVIEW

The well-being, safety and health of people and communities is closely linked to urban areas. These areas meet basic human needs such as shelter and warmth, provide a system of mobility and access to services, provide infrastructure for activities, contribute to the communities quality of life, and protect its assets. For these reasons it is essential that urban areas are managed in a sustainable way for current and future generations.

The Act's focus on effects has implications for planning Urban Resource Areas in terms of the type of techniques Council can develop to control the effects generated by activities and development on the natural and physical environment. It is no longer appropriate for Council to direct development or activities to particular land areas by way of a grouping of activities.

Property owners are basically free agents as long as environmental protection standards are not breached.

It is therefore essential for Council to ensure that standards set for different activities and effects are compatible with the characteristics of the natural and physical environment. To this end Council has identified environments within the urban area where the amenity standard differs for one reason or another.

Areas of high amenity standards tend to coincide with areas formally zoned Residential.

Areas of a medium amenity standard coincide with business centres where people work and shop.

Areas of lower amenity standard tend to coincide with the more industrial activity type area, where buildings are purpose built.

While the areas identified may be similar, Council does not intend to specifically categorise uses that are allowed in any particular area as was the case under traditional zoning techniques. Under that system activities were generally directed to a particular location.

With the exception of the processing of dairy produce at Edendale, the Plan does not recognise specific activities within the Industrial Resource Area. However, as a matter of record it does recognise that provision is made in these Industrial Resource Areas for the processing of livestock at Makarewa and Lorneville and general industrial uses at Te Anau.

The particular historical relationship between the town of Edendale and the dairy processing industry is recognised by way of the Edendale Dairy Concept Plan provisions as outlined in Schedule 6.22 of this plan. The need to provide for consolidation and future development, whilst ensuring an acceptable environmental standard is achieved, is specifically provided for in the policies and rules controlling the development of land by way of the Edendale Dairy Concept Plan.

4.7.2 - ALTERNATIVES CONSIDERED

The principle alternatives that Council has considered are as follows:

(a) Traditional Zoning Techniques

This technique as discussed above, lists activities that are permitted in each area. The listing of compatible uses was often arbitrary and uses were omitted which could be compatible and without adverse effects if adequate performance standards were imposed. This technique tends to direct development and is not compatible with the effects based approach of the Act.

(b) Define One Urban Area Only

This technique involves identifying the urban area (generally identified on the basis of servicing capability) without identifying any areas of particular amenity values within that urban resource area. While there is merit in this approach, the difficulty that confronted Council was at what level should the environmental bottom lines be established? Setting a high environmental bottom line (for example, based on the amenity values of the former Residential Zones) would ensure a high environmental quality but would necessitate numerous resource consent applications for industrial and commercial activities which could not meet the strict performance standards. This approach would be costly for both developers and Council alike.

At the other end of the scale, setting a low environmental bottom line (for example, based on former Industrial Zones) would reduce the need for Resource Consent applications but would have the effect of lowering the amenity standard throughout the entire Urban Resource Area, particularly in traditional residential areas where people seek a quiet and visually pleasant environment.

(c) **Define One Urban Area With Sub Grouping**

It was evident to Council during the consultation process that the public at large still looked to the Planning process to protect their physical environment and that they demanded a degree of certainty as to what activity could occur as a neighbour.

As would be expected the community requirements vary from location to location but the most balanced solution was achieved from a combination of one Urban Resource Area for the majority of the urban communities but with an industrial sub grouping for the communities of Te Anau, Riverton, Otautau and Winton.

Council anticipates this technique should largely avoid the problem of artificial boundaries and the difficulties that arise in the previous transition between Industrial and Residential Zones.

4.7.3 - DEFINITION OF AREAS

The District Planning Maps identify two areas within the urban resource area as follows;

- (a) **Urban Resource Area** - within the majority of this area the amenity standard is generally quiet, free from high traffic generating activities, and has, on the whole, a pleasant visual appearance with buildings set back from road frontages and neighbouring properties. Buildings are generally not more than two storeys high, and set on landscaped sites. Few activities that discharge smoke, odour, smell or vibration are located within these areas.

It is recognised however that in some locations the amenities have been created by activities that are characterised by an orientation towards commerce. These areas are generally located in the central area of town, on the towns main road. Buildings are generally built right to the street and form a continuous frontage. Signs are displayed to attract people to premises and advertise goods. Being people orientated they have a reasonable amenity standard although they are more intensely developed and noisier than residential areas, as they are the areas where people shop and carry out business. Noise in the area is generally created by passing traffic. Activities that generate nuisance noise types or discharges are not commonly found in these areas.

- (b) **Industrial Resource Area** - the amenity in these areas are dominated by large purpose built buildings with little visual appeal, the activities within which often create noise, smell and other unpleasantness. Heavy vehicles are normally used to transport materials and products. These areas also have the potential to be expensive to service particularly in relation to solid and liquid waste management.

The following sections identify the issues arising from these areas and the objectives, policies and methods developed to deal with them.

Basing the environmental bottom line for each of these areas on current amenity values should ensure the basic needs of the people who live or work in the urban resource area are met without compromising the ability of activities to continue to operate within the urban locality.

Reason

With the planning areas being based on present amenity standards the community is given a degree of certainty that their investments and property values will not be adversely affected, while at the same time a flexible development regime is provided.

4.7.4 - URBAN RESOURCE AREAS

4.7.5 - THE ISSUES

- **Non residential activities can adversely effect residential activities through generation of noise, traffic and other nuisances.**

Explanation

The urban area generally contains two types of activities - residential and non-residential. As amenity standards for residential activities are generally high, non-residential activities adjoining residential activities can have a significant effect.

- **Structures in these areas can adversely impact on adjoining properties' access to sunlight and privacy due to their bulk and location.**

Explanation

People living in these areas seek good access to sunlight and a reasonable level of privacy. The question is how to provide this without unduly restricting the use of the site.

- **Past management controls have often lead to the inefficient use of land and restricted activities where adverse effects are minimal.**

Explanation

Controls utilised in the past have often created situations where space has been under utilised or wasted. By the same token choice of location for particular types of activities has often been limited for no good reason.

- **Inappropriate development can lead to unsustainable development of the physical resources contained in the District's town centres.**

Explanation

The central areas of the District's main towns are a very significant resource as they contain substantial public and private investment in buildings and physical services. As town centres are not a natural system they cannot adapt to changing circumstances without human intervention. To maintain these areas as the focal point of a town will therefore require some action from Council.

- **The resources and amenities of the central areas of the District's towns conveys that particular towns image and this can be adversely effected by some activities.**

Explanation

As these areas are generally the most intensively used areas of the district, environmental quality is particularly important. Town centres are generally the community focal point and convey an image of each town to residents and visitors alike. This is particularly important in towns such as Te Anau, Riverton, Winton, Wyndham and Otautau. However the protection and enhancement of this image is only partly within the scope of the Resource Management Act and this Plan - it is a matter to be addressed through the Annual Plan and Strategic Plans.

4.7.6 - OBJECTIVES AND POLICIES

Objective URB.1

To manage the development of the urban area in order to:

- (a) **provide a framework which enables people and communities to provide for their social, economic and cultural well-being, and their health and safety, while**
- (b) **maintaining and where possible enhancing the environmental quality of particular environments within the urban area, and**

- (c) **avoid, remedy or mitigate any adverse effects on the natural and physical resources of the Urban Resource Area.**

Objective URB.2

To encourage urban consolidation to minimise the spatial extent of the effect of urban activities.

Policy URB.1

To avoid, remedy or mitigate the adverse effects that activities can have on the existing amenity levels of the District's Urban areas.

Explanation

*From the results of the consultation process carried out for the preparation of this Plan it can be inferred that the public wish to retain (and where possible improve) the existing amenity levels of the neighbourhoods they live in.
(Refer Rule URB.3 to 7)*

Policy URB.2

To avoid, remedy or mitigate the adverse effects that activities have on neighbouring properties.

Explanation

The adverse effects of principle concern in the urban resource area include:

- *Loss of privacy*
- *Loss of sunlight and daylight*
- *Poor development and maintenance of street frontages*
- *Untidy buildings and site usage*
- *Increased street parking and excessive traffic movement, particularly trade vehicles*
- *Reduction in traffic safety*
- *Excessive noise, air pollution, glare etc*
- *Excessive security provisions: lighting and fencing.*

*These effects greatly reduce amenity value in these areas and consequently will be controlled by the methods in the Plan.
(Refer Rule URB.5 and 6)*

Policy URB.3

To avoid, remedy or mitigate the adverse effects that non-residential activities can have on residential activities.

Explanation

Non-residential activities generally create noise, odour, high levels of traffic and the like. These effects are not compatible with residential activities. (Refer Rule URB.2, 4, 6 and 7)

Policy URB.4

To provide for maximum utilisation of sites without compromising amenity value.

Explanation

Performance standards in the past have often created a situation where space on a site, for example a side yard, is poorly utilised. Council intends to provide a flexible system that will allow maximum utilisation of these areas. [Refer Rule URB.5(1) and (3)].

Policy URB.5

To maximise private choice of residential dwelling types and location.

Explanation

A mixture of housing types and other forms of residential accommodation is desirable in order to promote a more balanced community structure. With performance standards mitigating any adverse effects, there is little justification for restricting certain types of development (eg multi unit housing) in these areas. (Refer Rule URB.2)

Policy URB.6

To avoid, remedy or mitigate the adverse effects of signs.

Explanation

Signs and other visual displays can add to the vitality and interest of an area or they can be a serious environmental distraction. Performance standards should minimise the adverse effect of signs. [Refer Rule URB.5(6) and Rule URB.6(3)]

Policy URB.7

To avoid the adverse effects of new buildings or renovations in areas where visual coherence in relation to neighbouring buildings is identified as being important.

Explanation

The design and appearance of buildings particularly large buildings and buildings on prominent sites can have a significant effect on the surrounding environment. It is difficult to prescribe performance standards for design and appearance without creating interpretation uncertainties and unintentionally restricting innovative design solutions

Consequently Council considers it appropriate that the erection of new buildings in certain important areas be a controlled activity in terms of their visual impact on the neighbourhood within which they are to be located.

(Refer Rule URB.3)

Policy URB.8

To avoid, remedy or mitigate the effect urban expansion can have on landscape values, and the rural environment.

Reason

The direction of future extension of urban areas within the District must be considered in the context of the effects created on the existing rural environment. This matter is addressed in part in the Transitional Resource Areas adjoining the towns of Riverton, Te Anau, Winton and in the manner in which dwelling houses are controlled in the Plains, Hills, Catlins and Mountain Resource Area.

(Refer to Section 4.2 Transitional Resource Area)

4.7.7 - METHODS AND RULES

Rule URB.1 - General Standards

All activities must conform with the provisions of Section 3 of this plan.

Where they do not an application for a limited discretionary resource consent (unless otherwise stated by those particular sections) is required.

[Note in particular Section 3.2 Transportation, 3.3 Energy, 3.4 Heritage, 3.6 Subdivision, 3.7 Financial and Reserve Requirements, 3.10 Amenity Protection, 3.11 Signs, 3.12 Noise, and Schedule 6.22 Edendale Dairy Plant Development Concept Plan].

Rule URB.2 - Permitted Activities

- (a) Residential activities that conform with the rules set out in Rule URB.5 Residential Activity Performance Standards and the relevant provisions with respect to servicing of sites contained in Sections 3.6 Subdivision and 3.7 Financial and Reserve Requirements.
- (b) Non-residential activities that conform with the rules set out in Rule URB.6 Non-Residential Activity Performance Standards and the relevant provisions with respect to servicing of sites contained in Sections 3.6 Subdivision and 3.7 Financial and Reserve Requirements.
- (c) Any activity involving the housing or keeping of animals that conform with the performance standard set out in Rule URB.7 Domestic Animals Performance Standard.
- (d) Where an activity does not comply it shall be considered as stated in the relevant rule or performance standard.

Reason

Compliance with the performance standards will ensure adverse effects are mitigated or avoided.

Rule URB.3 - Controlled Activity

- (a) The erection of new buildings or the remodelling of any facades of buildings listed in Schedules 6.9 and 6.10 provided they comply with the performance standards identified in Rule URB.6 (particularly Rule 6.8 Verandahs) and are controlled in respect of their visual appearance in the context of the neighbourhood they are located within.

Such applications will not be publicly notified or require consent of affected owners unless Council is of the opinion that the design of the building will have a detrimental effect on the amenities of the locality.

Reason

To ensure new buildings are in character with existing buildings and the surrounding built environment.

Rule URB.4 - Discretionary Activities

- (a) Any activity that has the effect of generating, or have the potential to generate the following effects:
 - emission of odour
 - noxious, hazardous, or objectionable waste or the use and storage of the same,
 - excessive or nuisance noise types.

In assessing any application under this rule Council will consider the objectives and policies of the Urban Resource Area, and the alternatives considered by the applicant.

Reason

These effects would have a significant impact on the amenities of the area and status as discretionary activities will ensure full consideration of the effects.

- (b) Any activity which does not front the roads/streets listed at Section 6.4(vii) that has the effect of generating high levels of traffic or is serviced by heavy vehicles (excluding activities listed in (iii) below).

In assessing any application under this rule, Council will consider the objectives and policies of the Urban Resource Area, and the alternatives considered by the applicant.

Reason

Outside of those streets listed, (which generally comprise commercial activities) these activities would have a significant adverse effect on amenity values.

- (c) Any activity that has the effect of attracting vehicles to the site for the purposes of servicing and maintaining those vehicles.

In assessing any application under this rule, Council will consider the objectives and policies of the Urban Resource Area, and the alternatives considered by the applicant.

Reason

These activities generate high level of traffic use and inappropriate site design and location can have a significant effect on the safety and efficiency of the roading network, and general amenity values of the area.

- (d) Any activity that involves the boarding or keeping of animals that does not comply with Rule URB.2 (c).

In assessing any application under this rule, Council will consider the objectives and policies of the Urban Resource Area, and the alternatives considered by the applicant.

Reason

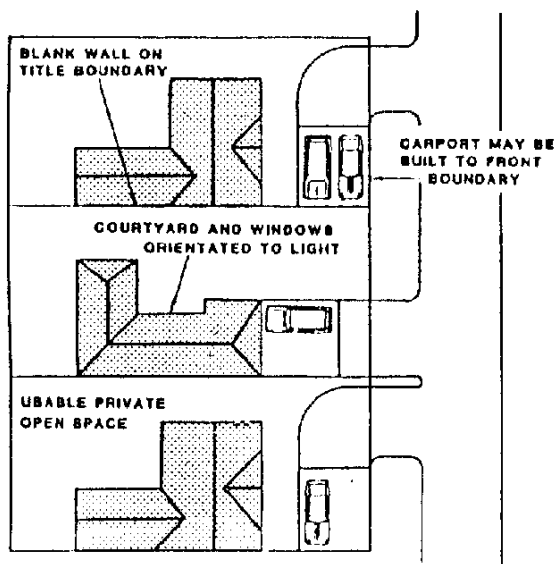
The keeping of animals can have adverse effects such as noise, smell and other nuisances. These effects are exaggerated when animals are kept for commercial purposes.

Rule URB.5 - Residential Activity Performance Standards

1. Yard Requirements

- (a) Front Yards - 4.5 metres.
- (b) Side and Rear Yards - minimum yard of 1 metre. Provided that this yard may be deleted where an owner obtains the written consent of the affected adjoining owners where the owner wishes to utilise the ZERO LOT LINE.

The “Zero lot line” technique will be controlled in respect of the design and placement of windows and their effect on neighbouring properties.



- (c) Non Compliance
- (i) With respect to the provisions of subsection (a), any reduction in this requirement will be considered as a discretionary activity limited to this issue.
- (ii) With respect to the provisions of subsection (b), the “Zero lot line” approach and all other proposed reductions will be considered as a controlled activity where adjoining owners consent is received.

Where adjoining owners consent is not received in either case, the reduction will be considered as a discretionary activity limited to this issue.

Reason

A 4.5 front yard retains and enhances the amenities of the area without creating a large area of under utilised space. It also reduces the effect on the road carriageway by avoiding possible shading and protecting visibility.

It is retained as a provision in the Plan because of public support for the amenity value provided.

The minimum 1 metre side and rear yard is required to ensure access for maintenance, drainage and firefighting purposes on all sides of a building and in conjunction with height control will, reduce the adverse effects buildings may have on neighbouring properties. An open space requirement will provide for outdoor living and this will further reduce the effect on neighbouring properties.

The “Zero lot line” technique enables maximum use of a site, with open space on the section being maximised on the side with maximum orientation to the sun allowing flexible, innovative design and reducing the “no mans” land in side yards to a minimum. This approach is controlled, however, due to the effect it may have on a neighbouring property.

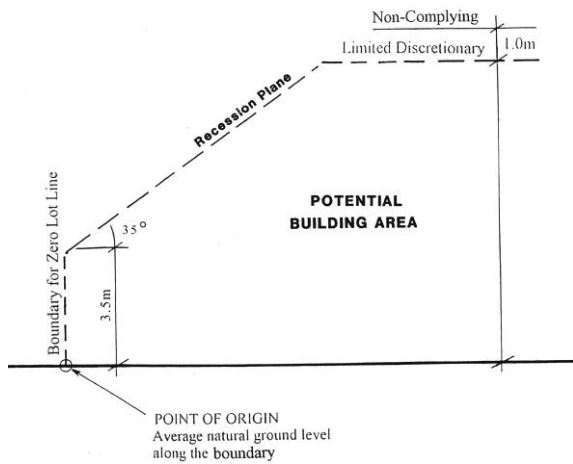
2. Height

- (a) Maximum Heights -

Accessory buildings	3.5 metres
All other buildings	9.0 metres

- (b) Height in Relation to Boundaries

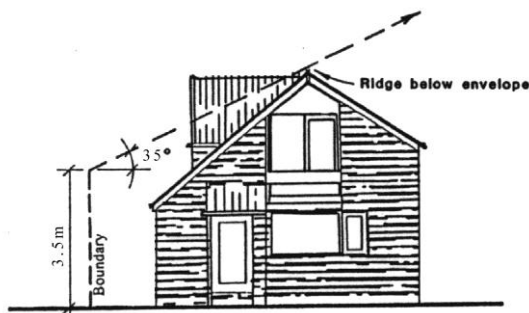
- (i) The maximum height along the line of the side boundary shall be 3.5 metres provided that -
1. The measurement shall be taken from the average natural ground level along the boundary under consideration, and
 2. The measurement shall be taken to the point where the planes of the wall surface and the roof covering would meet if extended, provided that in the case where there is no wall surface (A frame) then the vertical plane shall be an imaginary vertical line, or
 3. In the case of a building with a gable end, the maximum width of the gable and supporting walls which may penetrate through the height control plane is 4.5 metres (see Figure 11).
- (ii) Beyond the 3.5 metre height on the side boundary the maximum height shall be determined by a recession plane which originates from the point determined in (i) above and then slopes at an upward angle of 35° to the horizontal. (See diagram below).



Building Height Envelope Figure 11

- (iii) In any case chimneys, ventilator shafts, water tanks, elevator lofts, steeples, towers and such finials in similar parts of the building as constitute only decorative features and are not considered as part of the height requirements.
- (iv) Any increase in these requirements will require the following:
 1. where the breach of this rule is up to an additional 1 metre and consent of all adjoining owners affected is received, consent to an application for a non-notified discretionary activity limited to this issue or
 2. where consent of affected owners is not received, consent to an application for a notified discretionary activity.
 3. any application for increases in height beyond 10 metres shall be considered as an application for a notified non-complying activity.

CONTROL IN OPERATION



4. Assessment Criteria for Height and Height in Relation to Boundary

Applications relating to height of buildings will be considered with regard to the effect on neighbours and the character of the area.

Increased height above that permitted as of right, will only be allowed where there are exceptional circumstances and the building will not cause any more shadow or more restriction of view of neighbours than if the building was built to the permitted height. The effect on character will be considered in relation to the existing situation.

For example, it will generally be inappropriate for a tall building to establish where the area contains only buildings of a much smaller scale, however if the location is particularly appropriate and the activity is to be encouraged, then an application may be granted.

Reason

Controls on height have been considered necessary because of the adverse effects, (such as shading and reduction in privacy and views,) that buildings can have on adjoining properties. Height controls in conjunction with yard controls minimise these effects.

3. Outdoor Living and Privacy Requirements

(a) **Multi Unit Developments**

(i) **Ground floor**

Outdoor living space adjoining the living room of each unit shall be provided in accordance with the following;

1. Minimum area of 50 m².
2. Minimum dimension of 5 m by 5 m measured at right angles to the exterior wall of the living room.
3. Shall be free of driveways, parking spaces and garages but may include an accessory building of not more than 8 m².

4. Not less than 60% of the minimum area shall be in permeable surface (ie lawn, trees, shrubs, etc.) provided that Council may consider a reduction in the 60% figure as a controlled activity, to allow for cobblestones or other suitable materials to be utilised where it can be demonstrated that runoff can be adequately dealt with.
- (ii) Above Ground Level - for units above ground level, the outdoor living space provided at ground level may be reduced to 30 m² provided it is supplemented by a balcony which adjoins and is accessible to the living room of each unit above ground floor level. This balcony shall have a minimum area of 8 m² and a minimum dimension to the north of 2 metres.
- (iii) Elderly Persons and Kaumatua Housing Units - outdoor living space must adjoin the living room and be located to the north, east, or west of the dwelling unit it services and shall be a minimum of 33 m², with a minimum width of 5.5 metres.

Reason

The requirements of (i) to (iii) are seen as appropriate to ensure that some open character within the urban areas is maintained and that provision is made for outdoor living in conjunction with each dwelling unit. Reductions for elderly persons housing recognises that they require less outdoor space. The provision of outdoor space also reduces the pressure on reserves and ensures that each dwelling unit has reasonable access to sunlight.

- (iv) Visual Privacy Between Dwelling Units

No dwelling units on the same site shall be so sited or designed so that the main glazing of the living areas of one dwelling unit will oppose the main glazing of the living areas of another dwelling unit; unless screening in the form of fencing and/or landscaping is provided at a distance of not less than 3 metres from each unit.

- (v) Screening of Outdoor Living Space

Every outdoor living space may be required to be visually screened from adjoining sites and outdoor living spaces appurtenant to any other dwelling units. The screening shall be constructed of materials which blend with the natural materials of the site or with those of the building on the site.

Reason

Intensive residential development can have the effect of impinging on the privacy of people occupying adjoining dwellings and sites. The standards of (iv) and (v) are aimed at minimising that effect.

- (b) Detached Dwellings (not part of a Multi Unit Development)

Outdoor living space associated with detached dwellings shall be provided in accordance with the following:

- (i) minimum area of 100 m² with a minimum dimension of 5 m by 10 m.
- (ii) shall be free of driveways, parking spaces and garages but may include an accessory building of no more than 8 m².
- (iii) not less than 60% of the minimum area shall be in permeable surface (ie lawn, trees, shrubs, etc.) provided that Council may consider a reduction in the 60% figure as a controlled activity, to allow for cobblestones or other suitable materials to be utilised where it can be demonstrated that runoff can be adequately dealt with.

Reason

Detached dwellings that are the only dwelling unit on a site generally require a larger open space area as this type of development provides for family living.

- (c) Non-Compliance

Any reduction in these requirements (except as already provided for in (b) (iii) shall require the following;

- (i) where consent of adjoining affected owners is received, consent to an application for a controlled activity, or
- (ii) where consent of the adjoining affected owners is not received or that consent is received and the reduction will reduce the open space area by more than 75%, consent to an application for a discretionary activity.

4. Outdoor Storage

- (a) Any area used or proposed to be used for storage purposes that is not totally enclosed by a covered building shall be screened from public spaces and from residential sites by a 2 metre high close boarded fence or other suitable screen approved by the Council and shall not exceed 50 m² of site area.

- (b) No storage shall be located closer than 4.5 metres to any boundary and shall not exceed 2 metres in height.
- (c) There shall be no storage in the open of sand or aggregate, or other materials that may be windblown.

Reason

Outdoor storage facilities can have a significant visual effect and have the potential to attract vermin and create windblown debris.

5. Noise

- (a) The provisions of Section 3.12 Noise shall apply unless otherwise stated by these rules.
- (b) Corrected noise level at the boundary of a site shall not exceed the following limits

Monday to Friday

7.00 am to 10.00 pm L₁₀ - 50 dBA

Saturday

7.00 am - 6.00 pm L₁₀ - 50 dBA

At all other times

(including public holidays) L₁₀ - 40 dBA.

- (c) Activities not complying with these standards shall require discretionary resource consent limited to this issue.

Reason

Noise limits have been based on the findings of Council's 1993 Noise Study of the District and are designed to preserve the existing amenity level.

6. Signs

- (a) The provisions of Section 3.11 Signs shall apply unless otherwise stated in these rules.
- (b) Subject to (c) below one double sided sign per site, not exceeding 1.2 m², is permitted provided it refers to the site on which it is located.
- (c) Illuminated signs are discretionary activities while flashing signs are prohibited.
- (d) Activities not complying with these rules shall require consent to a discretionary activity.

Reason

Signs can have a significant visual effect in these areas. This performance standard seeks to minimise that effect.

7. Parking

Provision shall be made for off street parking in accordance with the requirements set out in Schedule 6.7 which shall be determined by the type of activity proposed for the site.

Rule URB.6 - Non-residential Activity Performance Standards

1. Bulk and Location

- (a) Buildings shall be located so as to ensure a continuity of existing building frontage.
- (b) No rear or side yards are required except that where a site adjoins a residential activity without the intervention of a road or service lane, a 4.5 metre setback will be required.
- (c) Compliance with noise emission levels (L₁₀) in the Edendale Industrial Resource Area shall be measured at or beyond the 45 dBA noise control boundary, as shown on the "Edendale Dairy Development Concept Plan Noise Control Boundary" plan attached to the Development Concept Plan, Appendix 6.22.

Sound levels (L₁₀) assessed at any point at or beyond the Noise Control Boundary shall not exceed 50 dBA from 7.00 am-10.00 pm and 45 dBA at all other times.

- (d) No building shall exceed 12.0 metres in height unless resource consent is received to a discretionary activity limited to this issue provided that where the activity adjoins a residential activity the height provisions of Rule URB.5 (2) apply.

Reason

Yards adjoining residential areas will reduce the effect of shading on adjoining properties.

2. Noise

- (a) The provisions of Section 3.12 shall apply unless otherwise stated by these rules.
- (b) Corrected noise levels shall not exceed the following limits.
 - (i) At or within the boundary of a residential activity:

Monday to Friday

7.00 am to 10.00 pm L₁₀ - 50 dBA

Saturday
7.00 am to 6.00 pm L₁₀ - 50 dBA

All other times
(includ. public holidays) L₁₀ - 40 dBA

- (ii) At or within the boundary of any other non-residential property:

Monday to Saturday
7.00 am to 10.00 pm L₁₀ - 50 dBA

At all other times
(includ. public holidays) L₁₀ - 40 dBA

- (c) Activities not complying with these standards shall require discretionary resource consent with regard to this issue.

3. Signs

Signs shall be located on the site to which they relate and shall comply with the performance standards set out in (a) to (e) provided that where the site adjoins a residential activity signage shall be a controlled activity in respect of size, design, and location.

- (a) No sign shall be erected higher than the apex of the roof of the building on the site unless resource consent is received to a discretionary activity limited to this issue.
- (b) No sign shall be suspended under a verandah unless:
- (i) it has a minimum clearance of 2.5 metres above the footpath
 - (ii) it has a minimum clearance of 450 mm from the kerb line.
- (c) Freestanding pole signs are permitted subject to their location being controlled by Council, and shall not exceed 3 m² in area or six metres in height.
- (d) Signs may be illuminated provided that Council's approval to a non-notified application for a controlled activity in respect of illuminated signs on a State Highway is received. Flashing signs are prohibited.
- (e) Signs not conforming with these standards require discretionary resource consent in respect of the standard they do not comply with.

4. Hours of Operation

Non-residential activities adjoining residential activities shall limit their hours of operation as follows:

Places of Assembly

7.00 am - 10.00 pm Sunday to Thursday, 7.00 am - midnight Friday and Saturday

Other Non-residential activities

7.00 am - 10.00 pm every day

provided that this rule shall not apply to public works and network utility installations.

Activities not complying with these standards shall require controlled resource consent in respect of this issue.

Reason

While the noise standards are also aimed at preserving the night time amenity in these areas, it is felt that some limit on hours of operation is also necessary to reduce or avoid the noise and nuisance effects of vehicles and people using non-residential facilities

5. Outdoor Storage

The provisions of Rule URB.5 (4) shall apply.

6. Servicing and Financial Contributions

The provision of all network utility services to within the boundary of the site is the responsibility of the developer, and shall be undertaken in accordance with the relevant provisions of Section 3.6 Subdivision. Any development of a value greater than \$500,000 shall be subject to the provisions of Section 3.7 Financial and Reserve Requirements.

7. Access, Parking and Unloading Facilities

Sites shall conform with the requirements for access, parking and unloading set out in this District Plan (Section 3.2 Transportation and Schedule 6.6). Diagram 1.

8. Verandahs

A verandah extending across the entire road frontage, designed in accordance within the limitations set shall be provided on the erection, reconstruction or alteration of any building to be used for any commercial activity.

Provided however, that where circumstances of building design or layout or topographical features give rise to a request for relaxation of this requirement the matter shall be dealt with as a discretionary activity and be publicly notified. This procedure will enable the community view to be considered prior to any relaxation of policy.

Rule URB.7 - Boarding and Housing of Animals

- (a) The housing and/or breeding of animals as a domestic activity by persons resident on the site is limited to small animals such as dogs and cats and smaller animals.

The housing and/or breeding of small domestic animals such as cats or dogs as a commercial enterprise is restricted to the keeping of two female breeding animals and their progeny up to the age of six months.

The number of domestic fowls shall not exceed ten.

- (b) The boarding of domestic animals as a commercial enterprise shall be determined in accordance with Rule URB.4 (d).

- (c) The activity shall be conducted so that it does not create a nuisance to occupants of adjoining or nearby activities.

The Council's Senior Enforcement Officer shall decide whether or not there are reasonable grounds for believing that a nuisance has been created.

Activities which do not comply with this rule shall be non-complying activities in relation to this matter.

Reason

The keeping of animals can have adverse effects such as noise, smell and other nuisances. This performance standard should avoid the effects associated with the keeping of animals for purposes other than domestic needs.

Method URB.1 - Guidelines

Council encourages businesses of the District to consider the Grid Analysis Technique contained in Schedule 6.17, and the following guidelines when erecting signage.

- That signs be designed, and in colours appropriate, to the architecture of the buildings to which they are affixed, and to their adjoining streetscape. Signs should not be placed on the decorative forms or mouldings of buildings, dominate facades, conceal windows or architectural features.
- That where possible and practical, signs on adjacent buildings should be co-ordinated, particularly in regard to alignment.
- That signs should not project above parapet lines or be constructed so as to obscure views of land forms, vegetation or buildings which contribute to the amenities of the local environment.
- That sign combinations be chosen from the following options:

A. Ground Floor Facade

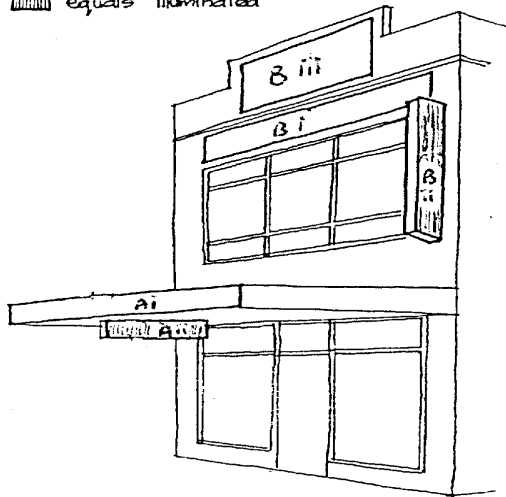
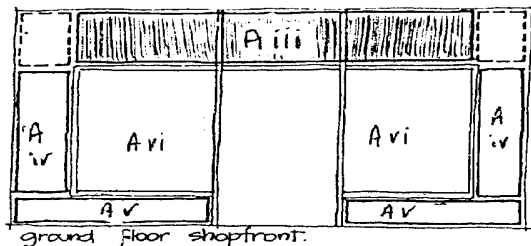
- (i) awning fascia
- (ii) one suspended under verandah sign or one cantilevered over footpath sign at standard awning level where there is no verandah.
- (iii) above doorhead/above display window transom.
- (iv) piers.
- (v) below windowsill.
- (vi) on the window glass or the masonry beside a door.

Signage is limited to one of the following combinations, either (i), (ii) or (vi) or (iii), (iv) and (v). This provides for a total of three signs at ground floor facade level.

B. Upper Level Signs

- (i) wall face box or applied sign.
- (ii) one projecting vertical sign.
- (iii) parapet sign.

Signage is limited to one of these options.



4.7.8 - ANTICIPATED ENVIRONMENTAL RESULTS

- (a) A pleasant environment to live and work in.
- (b) Minimal adverse effects on neighbouring properties.
- (c) Safe and efficient transport system.
- (d) Efficient public services.

4.7.9 - INDUSTRIAL RESOURCE AREAS

4.7.10 - THE ISSUES

- **Industrial activities can generate adverse environmental impacts that are not compatible with residential or commercial activities.**

Explanation

Many industrial processes including some with the most modern technology can create some unpleasant effects, not appreciated by neighbours.

- **Industrial buildings are generally purpose built and can adversely effect visual amenity.**

Explanation

Industrial buildings are built for a specific purposes, and sometimes multiple purposes. In the past, little consideration was given to their visual appearance.

Often they are large buildings clad with plain sheet material (eg cement fibre panels, corrugated or sheet metal panels) with little attempt at screening.

- **Industrial activities normally generate a high level of heavy vehicle traffic which can have an adverse effect on other activities.**

Explanation

Heavy vehicles normally used to transport materials and products to and within industrial areas are not compatible with residential neighbourhoods or activities.

- **Some industrial processes generate a high level of waste, which may include hazardous wastes.**

Explanation

The noxious and hazardous waste of some industrial activities cannot be dealt with by Councils normal waste systems and require alternative and costly, measures for adequate disposal.

4.7.11 - OBJECTIVES AND POLICIES

Objective IND.1

To manage the industrial resource areas in a way that avoids, remedies or mitigates any adverse effects industrial activities have on the amenity values of adjoining resource areas and activities.

Objective IND.2

To work towards achieving a situation where the need for an industrial resource area becomes obsolete.

Policy IND.1

To avoid, remedy or mitigate the adverse effects industrial activities have on neighbouring residential, commercial or recreational activities.

Explanation

To avoid, remedy or mitigate the adverse effects of industrial activities performance standards have been developed, not only for the industrial areas themselves; but also for industrial areas which adjoin residential, commercial and recreational areas.
(Refer Rule IND.1 and Rule IND.3)

Policy IND.2

To work towards the development of “Voluntary Accords” that will allow Industrial activities to self regulate and self monitor.

Explanation

To achieve Objective IND.2, Council will work towards a scenario where industry itself regulates environmental effects and monitors its own activity. The Council would then act as an environmental auditor.

Policy IND.3

To avoid remedy or mitigate the noxious or dangerous effects that some industrial activities generate.

Explanation

Council considers that noxious or dangerous effects are generally not compatible with any activity and should therefore be strictly controlled.
(Refer Rule IND.2)

Policy IND.4

To avoid, remedy or mitigate the adverse effects of signs in the industrial area.

Explanation

Attracting passing traffic is less significant in an industrial area, with the main purpose being for identification purposes. However signs in the industrial area can still have adverse effects on the amenities by creating an untidy appearance and distracting motorists creating an adverse effect on the immediate environment.
(Refer Rule IND.3)

4.7.12 - METHODS AND RULES

Rule IND.1 - Permitted Activities

Activities that conform with the rules contained in Rule IND.3 Performance Standards except as provided in Rule IND 2.

Reason

The performance standards of Rule IND.3 is intended to avoid, remedy or mitigate adverse effects of any activity.

Rule IND.2 - Discretionary Activities

The following are discretionary activities in the Industrial Resource Area, except where otherwise provided for in the Edendale Dairy Plant Development Concept Plan set out in Schedule 6.22.

- (a) any activity that creates an odour
- (b) any activity that requires a licence in terms of Section 15 of the Dangerous Goods Act 1974
- (c) any activity that requires a licence as an offensive trade within the meaning of the third schedule of the Health Act 1956.

In assessing any application under this rule, Council will consider what other alternatives are available to avoid, remedy or mitigate the effects of these activity types.

Reason

Council considers that all noxious or dangerous activities should require a resource consent to ensure that all potential effects are considered.

Rule IND.3 - Performance Standards

(a) General Provisions

All activities shall comply with any relevant performance standard method or rule contained in Sections 3.1 to 3.13 of this Plan.

Reason

Section 3 of this Plan provides for a large number of effects that are common to activities throughout the District. It was not considered necessary to repeat these throughout the document but developers attention is drawn to the fact that other controls do exist for the effects of industrial activities in those sections.

(b) Development Concept Plans

Development Concept Plans (DCP) have been prepared for the sites identified in Schedules 6.22 and 6.23 to the District Plan.

- (i) The Development Concept Plans contain specific site requirements, as outlined in Schedule 6.22 and 6.23.

- (ii) Activities within the Development Concept Plan sites are subject to the general Development Controls and Performance Standards of the “Industrial Resource Area”, unless other more specific provisions are defined in Schedules 6.22 and 6.23.
- (iii) Activities specified within the Development Concept Plans requiring resource consent may be subject to conditions to avoid, remedy or mitigate adverse effects identified with reference to the rules and assessment criteria as provided for in the DCP.

Reason

Development Concept Plans enable the management and use of industrial activities in a way that avoids or mitigates adverse effects on adjoining properties through appropriate performance standards based on existing environmental qualities and characteristics, thereby providing certainty to the owners and occupiers of the subject site, and those of adjacent sites.

(c) **Bulk and Location**

- (i) A front yard of 12 metres shall be provided where the site adjoins a State Highway or a regional arterial route as listed in Schedule 6.4.
- (ii) A rear yard of 7.5 metres shall be provided where a site adjoins any Urban Resource Area without intervention of a road.
- (iii) A side yard of 4.5 metres shall be provided where the site adjoins an Urban Resource Area without intervention of a road.
- (iv) The maximum height for buildings and structures in the area shall be 12 metres.

A restricted discretionary resource consent may be granted by Council where greater height is essential to the operations of the industry concerned.

Reason

Yards are only required where the site adjoins a major transportation route or a more sensitive environment such as the Urban Resource Area. Yard requirements in these circumstances will minimise adverse effects on such properties.

(d) **Noise**

- (i) Corrected noise levels shall not exceed the following limits unless otherwise provided for in this Plan by way of a Development Concept Plan for a scheduled site:

At the boundary of any Urban Resource Area

Monday to Friday
7.00 am - 10.00 pm L₁₀ - 50 dBA

Saturday
7.00 am - 6.00 pm L₁₀ - 50 dBA

At all other times
(includ. public holidays) L₁₀ - 40 dBA

At the boundary of any site within the Industrial Resource Area

Monday to Friday
7.00 am - 10.00 pm L₁₀ - 60 dBA

Saturday
7.00 am - 6.00 pm L₁₀ - 60 dBA

At all other times
(includ. pub. holidays) L₁₀ - 50 dBA

At the boundary of any site within the Rural Resource Area

as provided for in Rule PRA.8 Noise Standards for the Plains, Hills, Catlins and Mountains Resource Areas.

Reason

When industrial activities adjoin more sensitive activities, limits are lower to reduce any adverse effects.

Industrial Resource Area Sites Subject to a Development Concept Plan.

- **NZMP (formerly Anchor Products) Edendale**

Lot 1, DP 12733, CT SL10A/523, being Part Section 7 and 17, Block II, Mataura Hundred; Lot 1, DP 10650, CT SL6C/28, Lot 1, DP 10336, CT SL6C/28, Lot 3, DP 534, CT SL7A773, all being Parts Section 7, Block II, Mataura Hundred, and Part Lot 2, District Plan 12733, being Part Section 17, Block II, Mataura Hundred. (Refer Schedule 6.22).

4. **Signs**

Signs, except for the Stewart Island Industrial Resource Area, shall conform with the following performance standards:

- (a) One sign per road frontage for industrial buildings or where no buildings exist on the site, one sign per road frontage. In the case of a multi-occupancy building one directory type sign is permitted per road frontage.
- (b) Illuminated signs are permitted provided that no signs are flashing.
- (c) No sign shall exceed the following dimensions:
 - (i) for horizontal signs - the length of the building frontage and a width of 1.2 metres.
 - (ii) for vertical signs - the height of the building frontage and a width of 1.2 metres.
 - (iii) for pole signs - an area of 3 m² not exceeding 6 metres in height, with a separation distance of 10 metres between such signs.
 - (iv) directory signs - the height of the building it refers to, with a width of no more than 3 metres.

Activities not complying with the performance standards shall require an application for resource consent as a restricted discretionary activity.

- (d) Rule SI.4(6) shall apply to signs in the Stewart Island Industrial Resource Area.

Reason

The performance standards will ensure that signage is presented in a tidy manner and will not constitute a traffic hazard.

5. **Servicing and Financial Contributions**

The provision of all network utility services to within the boundary of the site is the responsibility of the developer and shall be undertaken in accordance with the relevant provisions of Section 3.6 Subdivision. Any development of a value greater than \$500,000 shall be subject to the provisions of Section 3.7 Financial and Reserve Requirements.

6. **Access, Loading and Parking Etc.**

Access, loading and parking facilities shall be provided in accordance with the provision contained in Section 3.2 TRANS and Schedule 6.7 and Diagram 1 Schedule 6.6.

7. **Landscaping**

Landscaping shall be provided in accordance with Rule AME.5 of this Plan.

4.7.13 - ANTICIPATED ENVIRONMENTAL RESULTS

- (a) Adverse effects on properties adjoining industrial activities reduced.