

Proposed Wairarapa Combined District Plan
Decision Report pursuant to Clause 10 of the First Schedule
of the Resource Management Act 1991

Subject: Chapter 7 - Industrial Zone

In Reference to:

- ***Industrial Zone Provisions 7.1 – 7.4***
 - ***Industrial Zone Rules 7.5.1 – 7.5.7***
 - ***Appendix 4***
 - ***Appendix 12***
-

7.1 Introduction

Submitter Number	Submitter Name	Further Submitter Name and Number	Further Submission Support/Oppose
525.16	Department of Conservation	FS 90 Greater Wellington Regional Council	Support
438.4	Wairarapa Aggregates Ltd	-	-
398.15	Wairarapa Inc/Go Wairarapa	-	-

Discussion

The **Department of Conservation** (525.16) seeks that a statement be added to '7.1 Introduction' to recognise that activities and infrastructure can result in stormwater run-off with high sediment and contaminant loads, and making treatment of this water before it enters stormwater networks or natural waterways a priority. **Greater Wellington Regional Council** supports this submission.

Wairarapa Aggregates Ltd (438.4) seeks that '7.1 Introduction' be amended to add a statement that the management of river gravel extraction assists in flood protection and other river management purposes.

Wairarapa Inc/Go Wairarapa (398.15) support '7.1 Introduction'.

Evidence Heard

Department of Conservation and **Greater Wellington Regional Council** separately presented evidence accepting and supporting the Section 42A report recommendation of adding a further matter to the Introduction.

Wairarapa Aggregates Ltd presented evidence requesting the Introduction should identify the full nature of stone and mineral processing operations undertaken in the Industrial Zone. The Section 42A report recommendation does not full address the relief sought in the submission.

Commissioners Deliberations

The Introduction (Section 7.1) provides an overview of the environment and resource management issues for the industrial areas in the Wairarapa. It identifies the key resources and the pressures on these resources.

The Commissioners noted the submitter's support for the Section 42A report recommendation in relation to the Department of Conservation submission, and concur that the addition of a new sentence better describes the matter for the Industrial Zone.

The river plains form an important part of the rural environment, with the management of river gravel a factor in protecting the low lying areas from flooding and providing a resource to the construction industry. The Commissioners do not consider the matter raised by the submitter in relation to gravel extraction to be a site specific issue, but rather an issue covering the whole river network. The management of gravel within the river networks assist Greater Wellington Regional Council as a tool for flood protection purposes. Therefore, the Commissioners consider a new sentence in the Introduction of Section 12: Freshwater Environments and Section 14: Natural Hazards better expresses this issue, rather than identify specific sites and operations.

The Commissioners do not consider a reference to gravel and mineral processing activities to be the most effective approach, as there are many activities undertaken in industrial areas which are not specifically referred to in the Introduction.

Decision: 7.1 Introduction

Submission Reference: 525.16	Accept in part
FS 90	Accept in part
438.4	Accept in part
398.15	Accept

Consequential Amendment: Section 12.1 and Section 14.1.1

Add the following sentence after the second sentence of paragraph 8 of 12.1 as follows:

The volume and velocity of stormwater runoff and contamination from surface residues from the large areas of impermeable surfaces in commercial and industrial areas can adversely affect the natural systems, in particular waterbodies.

Add the following sentence at the end of the first paragraph of '12.1 Introduction' to 'Chapter 12 Freshwater Environment', and at the end of the first paragraph of '14.1.1 Flooding' of 'Chapter 14 Natural Hazards', as follows:

The management of river gravel extraction to assist flood protection works as provided for by the Greater Wellington Regional Council, should be recognised as an important facet of river management.

Reasons

This decision is made for the following reasons:

- The added sentences better describe the nature and character of the industrial areas in the Wairarapa.
- The inserted text recognises the issue of gravel extraction, and the importance of managing the extraction for flood protection purposes in the Freshwater Environments and Natural Hazards chapters.

7.2 Significant Resource Management Issues

Submitter Number	Submitter Name	Further Submitter Name and Number	Further Submission Support/Oppose
525.17	Department of Conservation	FS 90 Greater Wellington Regional Council	Support
298.2	Ravensdown Fertiliser Co-operative Ltd	FS 36 Wairarapa Aggregates Ltd	Support

Discussion

Ravensdown Fertiliser Co-operative Ltd (298.2) seeks that Significant Resource Management Issue 2 be amended to recognise the potential effects of reverse sensitivity on existing activities in the Industrial Zone. **Wairarapa Aggregates Ltd** supports this submission.

The **Department of Conservation** (525.17) seeks that a new Significant Resource Management Issue be added recognising that industrial activities may adversely affect adjoining areas and the environment and, in particular, that contaminated discharges of stormwater can degrade water bodies. **Greater Wellington Regional Council** supports this submission.

Evidence Heard

Ravensdown Fertiliser Co-operative Ltd presented evidence supporting the Section 42A report recommendation of adding a further sentence to Issue 2 in relation to reverse sensitivity matters.

Department of Conservation and **Greater Wellington Regional Council** separately presented evidence accepting and supporting the Section 42A report recommendation of adding a new Issue on managing the adverse effects for the nature and scale of industrial activities.

Commissioners Deliberations

The Commissioners noted the submitters support for the Section 42A report recommendations of amending Issue 2 by referring to reverse sensitivity issues where sensitive activities locate in close proximity to existing established industrial activities, and adding a new Issue 5 in relation to the nature and scale of industrial activities and their adverse effects.

The Commissioners concur with the submitters and the Section 42A report assessment. Accordingly, Issue 2 is amended and a new Issue 5 is added, as these changes better describe the significant resource management issues for the industrial areas.

Decision: 7.2 Significant Resource Management Issues

Submission Reference: 298.2	Accept in part
FS 36	Accept in part
525.17	Accept in part
FS 90	Accept in part

Decision Amendment: 7.2 Significant Resource Management Issues

Amend Significant Resource Management Issue 2 by adding the following words:

2. *Where industry establishes in isolated pockets, and in close proximity to more sensitive land uses, the potential for conflict with residential or rural amenity values is increased. **Conversely, reverse sensitivity issues can also arise where incompatible land use activities that are sensitive to the environmental effects of existing industrial activities establish in proximity to existing established industrial sites.***

Add a new Significant Resource Management Issue 5 as follows:

- “5. ***Where not appropriately managed, the nature and scale of industrial activities may adversely affect adjoining areas and the environment. For example, potential adverse effects from contaminated discharges of stormwater can degrade waterbodies, while other effects such as odour, noise, lighting, waste, heavy traffic, services and the like, may degrade amenity values.***”

Reasons

This decision is made for the following reasons:

- The amended and new Issue statements most appropriately describe the range of significant resource management issues for the Industrial Zone.

7.3.2 Ind1 Policies

Submitter Number	Submitter Name	Further Submitter Name and Number	Further Submission Support/Oppose
525.18	Department of Conservation	FS 90 Greater Wellington Regional Council	Support
443.2	Juken NZ Ltd	FS 103 Waipine	Support
298.3	Ravensdown Fertiliser Co-operative Ltd	-	-

421.1	J Vollebregt	-	-
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Discussion

J Vollebregt (421.1) opposes Industrial Policies 7.3.2(b) and (d), opposes the rezoning of rural land to industrial at Waingawa, and seeks significant alterations to the intersection of Wiltons Road to improve traffic safety.

Juken NZ Ltd (443.2) and **Ravensdown Fertiliser Co-operative Ltd** (298.3) support Policy (d). **Waipine** supports the submission of Juken NZ Ltd.

The **Department of Conservation** (525.18) seek new Policies be added to ensure that activities in this zone can be assessed in relation to the effect of discharges. There is no specific recognition of the impact of industrial activities on water courses. **Greater Wellington Regional Council** supports this submission.

Evidence Heard

Ravensdown Fertiliser Co-operative Ltd presented evidence supporting the Section 42A report recommendation of retaining Policy (d).

Department of Conservation presented evidence accepting the Section 42A report recommendation that discharges need not be addressed in a policy for the Industrial Zone.

Greater Wellington Regional Council presented evidence seeking a policy promoting the avoidance or mitigation of the effects of the use and development of land in industrial areas on water bodies.

Commissioners Deliberations

The Commissioners noted the support from some submitters for retaining Policy (d). The Commissioners consider the existing wording of Policy (d) is the most appropriate, as it recognises certain activities may be incompatible with the level of acceptable effects created by industrial activities. Constraining industrial activities to achieve a compatible level of effects is not considered the most efficient or effective approach, as it would unduly limit the scale and nature of some industrial activities.

In terms of managing the effects of industrial activities on waterbodies, the Commissioners consider the existing provisions in the District Plan most appropriately manage this issue. In particular, when an area is proposed to be developed for industrial purposes, at that time, an assessment is made to determine how to manage the disposal of wastewater and stormwater, rather than the individual activity level. Objective 18.3.4 and Policies 18.3.5 provide an effective and efficient management framework for managing this issue, which the Commissioners consider is the most appropriate approach to this matter.

For the Waingawa Industrial Area, the Commissioners consider the provision of this area as an existing and expanded industrial area is the most appropriate location for industrial development in the Wairarapa. The suite of provisions in the Plan, from the Waingawa Structure Plan through to the individual rules for the industrial area are considered the most effective for managing the nature and scale of development at Waingawa.

Decision: 7.3.2 Policies

Submission Reference: 421.1	Reject
443.2	Accept
FS 103	Accept

525.18 Reject
FS 90 Reject

Reasons

This decision is made for the following reasons:

- The existing policies are the most appropriate for achieving the objective for the Industrial Zone of providing for the functioning of a wide range of activities within acceptable levels of environmental quality and amenity.

7.3.4 Ind2 Objective – Effects on Road Network and Infrastructure

Submitter Number	Submitter Name	Further Submitter Name and Number	Further Submission Support/Oppose
494.5	Land Transport New Zealand	-	-

Discussion

Land Transport New Zealand (494.5) support Objective 7.3.4.

Evidence Heard

No specific evidence was presented on this point.

Commissioners Deliberations

The Commissioners noted the submitter's support for retaining Objective 7.3.4, and concur that it is the most appropriate for achieving the purpose of the Act in relation to maintaining the safe and efficient functioning of the roading network and infrastructure.

Decision: 7.3.4 Objective

Submission Reference: 494.5 Accept

Reasons

This decision is made for the following reasons:

- The existing objective is the most appropriate for achieving the purpose of the Act, as it provides for the safe and efficient functioning of the roading network and infrastructure.

7.3.5 Ind2 Policies (a) and (b) – Effects on Road Network and Infrastructure

Submitter	Submitter Name	Further Submitter Name and	Further Submission
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Number		Number	Support/Oppose
494.5	Land Transport New Zealand	-	-

Discussion

Land Transport New Zealand (494.5) support Policies 7.3.5(a) and (b).

Evidence Heard

No specific evidence was presented on this point.

Commissioners Deliberations

The Commissioners noted the submitter's support for retaining Policies 7.3.5 (a) and (b), and concur that they are the most appropriate for achieving the objective of maintaining the safe and efficient functioning of the roading network and infrastructure.

Decision: 7.3.5 Policies

Submission Reference: 494.5 Accept

Reasons

This decision is made for the following reasons:

- The existing policies are the most appropriate for achieving the objective, as they provides for the safe and efficient functioning of the roading network and infrastructure.

7.3.10 Methods to Implement the Industrial Zone Policies - Method (b)

Submitter Number	Submitter Name	Further Submitter Name and Number	Further Submission Support/Oppose
443.3	Juken NZ Ltd	FS 103 Waipine	Support
298.4	Ravensdown Fertiliser Co-operative Ltd	-	-

Discussion

Juken NZ Ltd (443.3) and **Ravensdown Fertiliser Co-operative Ltd** (298.4) seek Method (b) be retained. **Waipine** supports the submission of Juken NZ Ltd.

Evidence Heard

Ravensdown Fertiliser Co-operative Ltd presented evidence supporting the Section 42A report recommendation of retaining Method (b).

Commissioners Deliberations

The Commissioners noted the submitters support for retaining Method (b), and concur that it is most appropriate for achieving the objective of providing for a range of activities in the Industrial Zone within acceptable levels of environmental quality and amenity.

Decision: 7.3.10 Methods

Submission Reference: 443.3	Accept
FS 103	Accept
298.4	Accept

Reasons

This decision is made for the following reasons:

- The existing Method is the most appropriate for achieving the objective, as it provides for a range of activities in the Industrial Zone within acceptable levels of environmental quality and amenity.

7.5.1 Permitted Activities: Add a New Permitted Activity

Submitter Number	Submitter Name	Further Submitter Name and Number	Further Submission Support/Oppose
438.5	Wairarapa Aggregates Ltd	-	-

Discussion

Wairarapa Aggregates Ltd (438.5) seeks that a new Permitted Activity be added to 7.5.1 to recognise the aggregate activities on Pt Lot 2 DP 72333.

Evidence Heard

Wairarapa Aggregates Ltd presented evidence requesting that the existing stone and mineral extraction operations be recognised by listing them as a permitted activity.

Commissioners Deliberations

There are a wide range of existing activities in the industrial areas of the Wairarapa which contribute to the economic and social well being of the area. The Industrial Zone adopts an effects-based approach to activities, whereby all activities are permitted unless they are specifically listed as Controlled, Restricted Discretionary, Discretionary or Non-Complying Activity. The Commissioners do not consider it to be the most effective or efficient approach to list existing activities as permitted with site specific rules, as there are a significant number of such activities in the Wairarapa, and sites and activities can change over time, raising administration and enforcement issues.

Decision: 7.5.1 Permitted Activities: Add a New Permitted Activity

Submission Reference: 438.5	Reject
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Reasons

This decision is made for the following reasons:

- Listing activities on individual sites with specific rules is not considered the most efficient or effective approach, as there are a significant number of activities in the Industrial Zone which would have similar circumstances, and is inconsistent with the effects based approach adopted in the District Plan.

7.5.2 Standards for Permitted Activities: (a) Maximum Building Height

Submitter Number	Submitter Name	Further Submitter Name and Number	Further Submission Support/Oppose
298.5	Ravensdown Fertiliser Co-operative Ltd	-	-

Discussion

Ravensdown Fertiliser Co-operative Ltd (298.5) seek 7.5.2(a) be amended to raise the maximum building height in the Plan from 15m to 20m.

Evidence Heard

Ravensdown Fertiliser Co-operative Ltd presented evidence highlighting the Operative Carterton District Plan has a 20m maximum height standard for the Ravensdown site and request this height continue to apply. They advised the existing buildings are over 15m high, and any alterations or additions to the current buildings would require consent, which they considered is unacceptable and unnecessary.

Commissioners Deliberations

The Commissioners acknowledge the presence of the existing taller buildings and the existing planted vegetation minimising the visual dominance of these buildings in the rural setting on the Ravensdown site.

A 15m maximum building height recognises the mixed characters of the various industrial areas in the Wairarapa, which are both in urban and rural locations. The Commissioners consider a 15m maximum height permitted activity standard is effective in managing the scale of buildings to ensure they maintain the character and amenity of the different locations.

Adding a 20m maximum height standard for a specific site, such as Ravensdown's is not considered the most efficient or effective approach for achieving the objectives for the Industrial Zone, as this standard could allow significant changes to the site which could degrade the local amenity values. The Commissioners consider assessing any building additions or alterations which are over 15m in height not to be unreasonable, as this assessment would take into account the existing environment, including established over-height buildings, the location and scale of the proposed buildings, and any mitigation measures, such as retaining the well-established vegetation.

Decision: 7.5.2 (a) Maximum Height Standard

Submission Reference: 298.5 Reject

Reasons

This decision is made for the following reasons:

- The existing maximum height standard is considered the most efficient and effective to manage the scale of buildings, as they providing for a wide range of industrial buildings, while maintaining the character and amenity values of the industrial areas.

7.5.2 Standards for Permitted Activities (c): Minimum Building Setback

Submitter Number	Submitter Name	Further Submitter Name and Number	Further Submission Support/Oppose
522.28	Planning Departments of Masterton, Carterton and South Wairarapa District Councils	FS 102 Windy Peak Trust	Oppose
526.20	Greater Wellington Regional Council	-	-
522.19	Planning Departments of Masterton, Carterton and South Wairarapa District Councils	FS 102 Windy Peak Trust FS 52 Horticulture NZ	Oppose Oppose

Discussion

The **Planning Departments of Masterton, Carterton and South Wairarapa District Councils** (522.28) seek that the minimum 5m setback from the front boundary be deleted. **Windy Peak Trust** opposes this submission.

Greater Wellington Regional Council (526.20) seeks that a new standard be added requiring a minimum 10m building setback from permanently flowing waterbodies. The **Planning Departments of Masterton, Carterton and South Wairarapa District Councils** (522.19) seek that a new standard be added requiring a minimum 5m building setback from any waterbody except in the South Wairarapa District where a minimum 20m building setback is required from any river or stream which has an average width of 3m or more. **Windy Peak Trust** and **Horticulture NZ** oppose the submission of the Planning Departments of Masterton, Carterton and South Wairarapa District Councils.

Evidence Heard

Greater Wellington Regional Council presented evidence supporting the Section 42A report recommendation of adding a setback from waterbodies.

Commissioners Deliberations

The Commissioners concur with the Section 42A report assessment and recommendation for front boundary building setback. Industrial areas are characterised by a high degree of built form, including buildings up to the front boundary to fully utilise the industrial land resource. Removing the front yard building setback would provide for the most effective and efficient use of the industrial land resource, and would be compatible with the existing and well-established character and amenity of the industrial environments.

Waterbodies have a number of valuable qualities, including their natural, recreation, ecological and aesthetic values. The Commissioners consider a 5m setback is an efficient and effective distance for minimising the potential effects from industrial built development on the valued qualities of waterbodies. A 10m is not considered the most effective or efficient option, as it would result in areas of land being restricted from built development, where the values may not be affected, and reducing the efficient use of the industrial land resource. However, some of the larger waterbodies in the South Wairarapa which are not identified as 'significant' in the Plan, have some qualities which do warrant an additional level of control. The Commissioners consider a 20m setback for these larger waterbodies is appropriate, as their values could be compromised by built development near their margins. The 20m setback distance and 3 metre width of the river bed is to be consistent with the provisions for esplanade reserves/strips requirements of the Act, to avoid potential conflicts in the future.

The Commissioners concur with the amendment in the Department of Conservation evidence, that adding the term 'bed' to the definition of river bed width assists with this rule's implementation.

Decision: 7.5.2(c) Minimum Building Setback

Submission Reference:	522.28	Accept
	FS 102	Reject
	526.20	Accept in part
	522.19	Accept
	FS 102	Reject
	FS 52	Reject

Decision Amendment: 7.5.2(c) Minimum Building Setback

Delete 7.5.2(c)(i):

(c) Minimum Building Setback

~~(i) 5 metres from the front boundary~~

~~(ii) (i) 5 metres from all boundaries adjoining another zone.~~

Add clauses (ii) and (iii) as follows:

(ii) 5 metres from any waterbody

(iii) In the South Wairarapa District, 20 metres from the banks of any river and stream whose bed has an average width of 3 metres or more. (Note: For the purpose of this rule, 'bed' is the definition applied in Section 2 of the Resource Management Act for a 'bed' in relation to any river for the purposes of esplanade reserves).

Reasons

This decision is made for the following reasons:

- Deleting the front yard building setback provides for the most efficient and effective use of the industrial land use, and is compatible with the predominant character in the established industrial areas.
- 5m for all waterbodies and 20m in the South Wairarapa District for larger waterbodies are the most efficient and effective setback distances as they protect the values of the waterbodies and provides for the efficient use of the industrial land resource.

7.5.2 Standards for Permitted Activities: (e) Noise Limits

Submitter Number	Submitter Name	Further Submitter Name and Number	Further Submission Support/Oppose
438.6	Wairarapa Aggregates Ltd	-	-

Discussion

Wairarapa Aggregates Ltd (438.6) seek that 7.5.2(e)(i) be amended by adding the following “...except that in terms of the permitted activities set out in Rule 7.5.1(d), the standard shall be met in relation only to the notional boundary of dwellings existing as at the 26th of August 2006.” This will give assurance to operators that they can continue to operate to the permitted activity standards without reverse sensitivity issues arising from future activities.

Evidence Heard

Wairarapa Aggregates Ltd presented evidence stating the relief sought would safeguard an existing, established stone and mineral extraction activity from potential reverse sensitivity issues, such as noise.

Commissioners Deliberations

The Commissioners received detailed advice from Councils noise consultant, Mr Malcolm Hunt, on the submitted changes to the noise standards. The Commissioners appreciated the clear and constructive comments from Mr Hunt, and the explanations and examples of how the changes would influence the noise levels experienced in the industrial zone and adjoining rural areas.

The Commissioners consider that occupiers of industrial areas can tolerate higher noise levels than other environments in the Wairarapa. However, at the interface between industrial areas and rural and residential environment, the noise levels generated by industrial activities need to be managed to ensure the amenity values of these adjoining areas are maintained. The Commissioners acknowledge some existing activities in the Industrial Zone, such as aggregate processing, may generate higher levels of noise. However, the adjoining rural environment is not static, with changes continually occurring to land uses and development. Limiting the application of the notional boundary to existing dwellings at the time of the Proposed Plan notification, is not considered the most appropriate mechanism, as it would not be effective in managing the amenity conflicts in the rural area.

Decision: 7.5.2(e) Noise Limits

Submission Reference: 438.6 Reject

Reasons

This decision is made for the following reasons:

- The rural area changes over time with different activities having different amenity expectations. It is efficient and effective for all activities to comply with the noise levels, to allow for the efficient use of the land resource for a range of activities.

7.5.2 Standards for Permitted Activities: (f) Signs

Submitter Number	Submitter Name	Further Submitter Name and Number	Further Submission Support/Oppose
398.16	Wairarapa Inc/Go Wairarapa	-	-

Discussion

Wairarapa Inc/Go Wairarapa (398.16) seek 7.5.2(f)(i)(3) be amended to relate to activities undertaken, not to the site itself.

Evidence Heard

Wairarapa Inc/Go Wairarapa presented evidence highlighting the importance of clearly defining a 'site', and that the associated standards need to allow a certain level of flexibility.

Commissioners Deliberations

'Site' is defined in the Plan, and the Commissioners consider the existing definition is the most appropriate, as it applies to the interpretation of a number of rules, including sign standards.

The Commissioners concur with the Section 42A report assessment and recommendation for the signs standard, as the Commercial Zone has similar character and amenity values to the Industrial Zone. Therefore, removing the restriction that signs are not to face the Commercial Zone would provide for the most efficient and effective development of industrial activities, while ensuring the character and amenity of the adjoining sensitive areas are not degraded.

Decision: 7.5.2(f) Signs

Submission Reference: 398.16 Accept in part

Decision Amendment: Rule 7.5.2(f)(i)(3) – Signs

Amend Rule 7.5.2(f)(i)(3) as follows:

*(3) No sign is to face an adjoining or opposite (across a road) site zoned Rural;
or Residential or Commercial.*

Reasons

This decision is made for the following reasons:

- Signs can contribute to the economic and social wellbeing of the area and support the efficient function of a range of industrial activities. The amended rules would provide the most appropriate framework to allow a certain level of signage, while not compromising the character and amenity values of the adjoining rural and residential areas.

7.5.2 Standards for Permitted Activities: (g) Roads, Access, Parking and Loading Areas

Submitter Number	Submitter Name	Further Submitter Name and Number	Further Submission Support/Oppose
522.29	Planning Departments of Masterton, Carterton and South Wairarapa District Councils	FS 102 Windy Peak Trust	Oppose

Discussion

The Planning Departments of Masterton, Carterton and South Wairarapa District Councils (522.29) seek Rule 7.5.2(g)(ii) be deleted. Windy Peak Trust oppose this submission.

Evidence Heard

No specific evidence was presented on this point.

Commissioners Deliberations

The Commissioners concur with the Section 42A report assessment and recommendation that a restriction on the number of vehicle access points per frontage could unnecessarily limit the efficient use of industrial properties. However, the Commissioners note that all vehicle access points must be sited where they have safe and do not conflict with neighbouring activities. The Commissioners consider that compliance with the standards in Appendix 5 for all vehicle access points from industrial areas, would ensure that the road networks are maintained and operated in a safe and efficient manner.

Decision: 7.5.2(g)(ii) Roads, Access, Parking and Loading Areas

Submission Reference: 522.29 Accept
FS 102 Reject

Decision Amendment: 7.5.2(g)(ii) Roads, Access, Parking and Loading Areas

Delete Rule 7.5.2(g)(ii) as follows:

“(g) Roads, Access, Parking and Loading Areas

(i) *Compliance with the standards in Appendix 5 Requirements for Roads, Access, Parking and Loading.*

~~(ii) *One vehicle access point per frontage.*~~

Reasons

This decision is made for the following reasons:

- Deleting the restriction on the number of vehicle access points per frontage provides for the efficient use and development of industrial land, while maintaining a safe and efficient transport network through compliance with the other transport standards.

7.5.2 Standards for Permitted Activities: (h) Landscape and Screening

Submitter Number	Submitter Name	Further Submitter Name and Number	Further Submission Support/Oppose
49.2	Carterton Town & Country Development Group (Inc)	-	-
298.5	Ravensdown Fertiliser Co-operative Ltd	-	-
398.16	Wairarapa Inc/Go Wairarapa	-	-

Discussion

The Carterton Town and Country Development Group (Inc) (49.2) seeks that Rule 7.5.2(h) be amended to establish precise landscaping standards for the Industrial Zone and consider a reserves levy in lieu when these standards are not met.

Ravensdown Fertiliser Co-operative Ltd (298.5) seeks that Rule 7.5.2(h) be amended so that only outdoor storage areas which adjoin or face a Residential Zone or are visible from a public road shall be screened, including by landscape planting, to provide that views of these areas are maintained.

Wairarapa Inc/Go Wairarapa (398.16) seek that Rule 7.5.2(h)(i) be reviewed to consider whether this control should be applied to any site bounding State Highway 2 given the previously stated desire to provide screening adjoining State Highway 2.

Evidence Heard

Ravensdown Fertiliser Co-operative Ltd presented evidence querying the interpretation of Rule 7.5.2(h)(i) in the Section 42A report in that the rule would only apply to new development. They submitted that the rule should be re-worded to reflect this interpretation, or be amended as originally submitted.

Commissioners Deliberations

Industrial activities which adjoin residential, rural or commercial areas can compromise the visual qualities of these neighbouring areas. Landscaping and screening is an effective method for accommodating industrial development adjacent to areas used for different purposes.

The Commissioners concur with the Section 42A report assessment and recommendation that the existing rules are an efficient and effective approach requiring the implementation of either fencing or planting between the industrial activity and adjoining property.

Well-established industrial activities would have existing use rights, therefore, it would only be when the existing activity changed in scale, intensity or character that any screening or landscaping would be required. The Commissioners acknowledge there would be costs incurred in complying with the landscaping/screening requirement. However, these costs are considered to be outweighed by the benefits of maintaining the amenity values of adjoining properties and public views from roads. If no screening/landscaping was proposed, the resource consent process provides an efficient mechanism to assess the effects of not providing the screening/landscaping, which may be appropriate given the circumstances for the particular proposal.

Decision: 7.5.2(h) Landscape and Screening

Submission Reference: 49.2	Reject
298.5	Reject
398.16	Accept in part

Reasons

This decision is made for the following reasons:

- Landscaping and screening requirements are considered the most effective and efficient approach for managing the adverse visual and landscape effects for industrial activities neighbouring residential, rural or commercial zoned properties and public roads. The landscaping/screening requirements are based on minimum standards which minimise the effects for adjoining areas.

7.5.2 Standards for Permitted Activities: (i) Retail Activities

Submitter Number	Submitter Name	Further Submitter Name and Number	Further Submission Support/Oppose
522.30	Planning Departments of Masterton, Carterton and South Wairarapa District Councils	FS 86 Progressive Enterprises Ltd FS 102 Windy Peak Trust	Support Oppose

Discussion

The **Planning Departments of Masterton, Carterton and South Wairarapa District Council's** (522.30) seek 7.5.2(i) be amended by reducing the floor area specified in the

standard from 2,000m² to 800m². **Progressive Enterprises Ltd** support this submission and **Windy Peak Trust** oppose it.

Evidence Heard

No specific evidence was presented on this point.

Commissioners Deliberations

The Commissioners concur with the Section 42A report assessment and recommendation that a limitation on the floor area of retail activities in the Industrial Zone would be the most efficient and effective approach for maintaining the vitality and vibrancy of the existing town centres. Small-scale retail activities in industrial areas can contribute to the economic and social wellbeing of these important local employment centres, therefore, the Commissioners consider a limit of 800m² is the most appropriate.

In addition, the Commissioners consider a consequential amendment arising from this matter is a hierarchy of sizes of retail activities, with retail outlets between 800-2,000m² a restricted discretionary activity and above 2,000m² as a discretionary activity. The scale of retail activities correlates with the actual and potential effects, and the different activity status reflects the degree of adverse effects.

Decision: 7.5.2: (i) Retail Activities

Submission Reference: 522.28	Accept
FS 86	Accept
FS 102	Reject

Decision Amendment: 7.5.2: (i) Retail Activities

Amend 7.5.2(i) by reducing the floor area from 2,000m² to 800m² as follows:

- (i) *For any retail activity not associated with the retailing of products assembled or manufactured on the same premises, the maximum cumulative area of gross retail floor space is ~~2,000m²~~ **800m²** on any site **or contiguous area within one building.***

Consequential Amendment: Retail Activities

Add a new restricted discretionary activity to Rule 7.5.5 as follows:

- (b) Any retail activity with a gross floor area from 800m² up to 2,000m².**

Discretion is restricted to the following matters:

- (i) Siting of any building***
- (ii) Design and location of the access***
- (iii) Location, size and effects of any signage***
- (iv) Amenity and visual effects***
- (v) Landscaping and screening***
- (vi) Noise generated by the activity***
- (vii) Changes in the type and amount of traffic***
- (viii) Servicing and infrastructure requirements***

(ix) Effects on the viability and vitality of the existing town centres of Featherston, Martinborough, Greytown, Carterton and Masterton.

Add a new discretionary activity to Rule 7.5.6(a) as follows:

(iv) Any retail activity with a gross floor area 2,000m² and over.

Reasons

This decision is made for the following reasons:

- 800m² floor area for standalone retail activities is considered the most efficient and effective approach in providing for this type of activity, while protecting the vibrancy and vitality of the existing central business districts in the Wairarapa towns.
- The scale of retail activities influences the degree and nature of adverse effects. Therefore, an efficient and effective approach to managing retail activities in the rural area, is to have a graduated activity status profile, with small-scale retail activities being permitted, medium-scale restricted discretionary and large-scale discretionary.

7.5.2 Standards for Permitted Activities: Add a New Standard

Submitter Number	Submitter Name	Further Submitter Name and Number	Further Submission Support/Oppose
525.19	Department of Conservation	FS 90 Greater Wellington Regional Council	Support

Discussion

The **Department of Conservation** (525.19) seeks that a new standard be added to Rule 7.5.2 to require a stormwater treatment plan to be provided by applicants for Permitted Activities. **Greater Wellington Regional Council** support this submission.

Evidence Heard

Department of Conservation presented evidence accepting the Section 42A report recommendation of not introducing a land use performance standard for stormwater management.

Greater Wellington Regional Council presented evidence requesting a new permitted activity performance standard requiring a stormwater management plan for new activities.

Commissioners Deliberations

The Commissioners concur with the submitters that it is important to manage the disposal of stormwater, not just 'at the end of the pipe' but, how it is collected, treated and disposed on-site. Requiring a Stormwater Management Plan for a permitted activity is not considered the most efficient or effective approach, as there is uncertainty in what specific standards an industrial activity must meet.

The District Councils operate a series of stormwater collection and disposal networks. Under Rule 21.1.22, all new stormwater systems are required to comply with NZS 4404:2004, which includes a requirement for stormwater treatment. Clause 4.3.12.7 in NZS 4404 has specific design parameters for stormwater discharging to the reticulated networks. The Commissioners consider these existing rules based on the New Zealand Standard are the most efficient and effective approach, as they are measurable, and protect the values of waterbodies.

Decision

Submission Reference: 525.19 Reject
FS 90 Reject

Reasons

This decision is made for the following reasons:

- The requirements for the design, construction and operation of reticulated stormwater networks detailed in the New Zealand Standards are considered the most effective and efficient approach for managing stormwater in industrial areas. These Standards provide a range of design solutions for the management of stormwater, depending on the scale and nature of the industrial activity, while maintaining the values of the local waterbodies.

7.5.4 Controlled Activities

Submitter Number	Submitter Name	Further Submitter Name and Number	Further Submission Support/Oppose
443.8	Juken NZ Ltd	FS 103 Waipine	Support

Discussion

Juken New Zealand Ltd (443.8) seeks that its site be removed from the Waingawa Industrial Area Structure Plan, and that its activities be provided for as Permitted Activities (subject to complying with the Permitted Activity standards) as opposed to being a Controlled Activity under the Proposed Plan. This is because Juken NZ Ltd has been long established on its site in an existing industrial area. **Waipine** support this submission.

Evidence Heard

Juken New Zealand Ltd presented evidence supporting the Section 42A report recommendation of removing the JNL site from the Structure Plan area.

Commissioners Deliberations

The Commissioners concur with the submitter and Section 42A report assessment and recommendation that the existing JNL site is developed, and is not required to form part of the Structure Plan to facilitate the efficient development of industrial land at Waingawa.

Decision

Submission Reference: 443.8 Accept
FS 103 Accept

Consequential Amendment

Remove the Juken New Zealand Ltd property from the Waingawa Industrial Area Structure Plan in Appendix 12 of the Plan.

Minor Map Notation Amendment: Appendix 12:

Reasons

This decision is made for the following reasons:

- The Waingawa Structure Plan is an efficient method for facilitating the spatial arrangement of industrial development at Waingawa. Removing the already developed JNL site from the Structure Plan area would not reduce the effectiveness of the Structure Plan.

Submission Summary

Submitter Number	Submitter Name	Further Submitter Name and Number	Further Submission Support/Oppose
398.17	Wairarapa Inc/Go Wairarapa	-	-

Discussion

Wairarapa Inc/Go Wairarapa (398.17) seek that the 'Notification and Service of Applications' provision in Rule 7.5.4 be amended so that controlled activity are required to serve notice on affected persons.

Evidence Heard

No specific evidence was presented on this point.

Commissioners Deliberations

Section 104A of the Resource Management Act states "After considering an application for a resource consent for a controlled activity, a consent authority – (a) must grant the resource consent, unless it has insufficient information to determine whether or not the activity is a controlled activity". This clause clearly outlines that controlled activity applications must be approved.

Section 93(1)(a) of the Resource Management Act provides for applications for controlled activities to be processed without public notification. In addition, Section 94D(3) provides for applications not to be served if a rule in the Plan states this.

In terms of notification of controlled activities, the Commissioners note that the only land use controlled activities in the Industrial Zone are building relocations and activities in the Waingawa Industrial Area. The Commissioners consider that building relocations and

activities in the Waingawa Industrial Area are appropriate, subject to controlling the actual and potential adverse effects through conditions of consent.

Therefore, the Commissioners consider the existing non-notification provision of applying Section 94D is the most appropriate management framework, as it provides for an efficient process for processing these applications.

Decision

Submission Reference: 398.17 Reject

Reasons

This decision is made for the following reasons:

- The existing non-notification, and no need to serve notice on affected parties clause provides for an efficient framework for managing building relocations and activities in the Waingawa Industrial Area and is consistent with provisions of the Resource Management Act 1991.

Submission Summary

Submitter Number	Submitter Name	Further Submitter Name and Number	Further Submission Support/Oppose
522.10	Planning Departments of Masterton, Carterton and South Wairarapa District Councils	FS 102 Windy Peak Trust	Oppose
522.6	Planning Departments of Masterton, Carterton and South Wairarapa District Councils	FS 86 Progressive Enterprises Ltd FS 102 Windy Peak Trust	Support Oppose

Discussion

The **Planning Departments of Masterton, Carterton and South Wairarapa District Councils** (522.10) seeks that 7.5.4(a) which provides for subdivision in accordance with the District Wide Rules in Part B of the Plan be deleted. **Windy Peak Trust** opposes this submission.

The **Planning Departments of Masterton, Carterton and South Wairarapa District Councils** (522.6) seeks that a rule be added to 7.5.4 requiring all the standards for permitted activities in Rule 7.5.2 to be met. **Progressive Enterprises Ltd** supports this submission and **Windy Peak Trust** opposes this submission.

Evidence Heard

No specific evidence was presented on this point.

Commissioners Deliberations

The Commissioners concur with the submitters that individual subdivision rules in each Environmental Zone are unnecessary, as Section 20 of the Plan sets of the full set of subdivision rules.

The listed controlled activities in the Industrial Zone are building relocations and activities in the Waingawa Industrial Area, it is appropriate that the permitted activity standards also apply.

Decision

Submission Reference: 522.10 Accept
FS 103 Reject

522.6 Accept
FS 103 Reject
FS 86 Accept

Decision Amendment: 7.5.4 Controlled Activities

Delete 7.5.4(a) as follows:

7.5.4 Controlled Activities

The following are Controlled Activities:

~~(a) — Subdivision in accordance with the District Wide Rules B)~~
~~The matters over which control is reserved are listed in~~
~~Section 20.1.1.~~

~~(b) Any activity involving.....~~

Make consequential re-numbering to Rule 7.5.4.

Add a Note to Rule 7.5.4 as follows:

Note:

All the standards for permitted activities in Rule 7.5.2 must be met.

Reasons

This decision is made for the following reasons:

- Removing the subdivision rule avoids potential confusion in administering the District Plan.
- Applying the permitted activity standards to controlled activities is an efficient and effective approach to managing the location, size and scale of buildings for the listed controlled activities.

7.5.5 Restricted Discretionary Activities

Submitter	Submitter Name	Further Submitter Name and	Further Submission
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Number		Number	Support/Oppose
522.15	Planning Departments of Masterton, Carterton and South Wairarapa District Councils	FS 102 Windy Peak Trust	Oppose
522.6	Planning Departments of Masterton, Carterton and South Wairarapa District Councils	FS102 Windy Peak Trust FS86 Progressive Enterprises Ltd	Oppose Support

Discussion

The Planning Departments of Masterton, Carterton and South Wairarapa District Councils (522.15) seeks that 7.5.5(a) have a non-notification clause added. **Windy Peak Trust** opposes this submission.

The Planning Departments of Masterton, Carterton and South Wairarapa District Councils (522.6) seeks that a rule be added to 7.5.5 requiring all the standards for permitted activities in Rule 7.5.2 to be met. **Progressive Enterprises Ltd** supports this submission and **Windy Peak Trust** opposes this submission.

Evidence Heard

No specific evidence was presented on this point.

Commissioners Deliberations

The listed restricted discretionary activities are activities which do not comply with the permitted activity standards or are particular activities where the effects are known. The permitted activity standards set the baseline for acceptable effects. Any non-compliance with these standards has the potential to adversely effect the environment, including parties in close proximity to the activity. We do not consider it is the most efficient or effective approach to include a non-notification or and no service notice for these types of activities. We consider the notification provisions in the Act provide an effective process for determining how any resource consent application is to be processed.

Section 104(2) provides for Councils to disregard the effects of a permitted activity when determining a resource consent application for a discretionary activity. Applying the permitted activity standards to discretionary activities would be ineffective, as the activity status requires a case-by-case assessment of the effects of the particular proposal.

Decision: 7.5.5 Restricted Discretionary Activities

Submission Reference: 522.15 Reject
FS 103 Accept

522.6 Reject
FS102 Accept
FS86 Reject

Reasons

This decision is made for the following reasons:

- The notification sections in the Act provide an efficient framework for determining how resource consent applications are to be processed.
- The provisions of the Act provide the direction in assessing resource consent applications and consideration of permitted activity effects. This approach is considered the most efficient and effective mechanism for managing the effects from a range of activities.

7.5.6 Discretionary Activities

Submitter Number	Submitter Name	Further Submitter Name and Number	Further Submission Support/Oppose
298.6	Ravensdown Fertiliser Co-operative Ltd	-	-
522.26	Planning Departments of Masterton, Carterton and South Wairarapa District Councils	FS 86 Progressive Enterprises Ltd FS 102 Windy Peak Trust	Support Oppose
522.6	Planning Departments of Masterton, Carterton and South Wairarapa District Councils	FS102 Windy Peak Trust FS86 Progressive Enterprises Ltd	Oppose Support

Discussion

Ravensdown Fertiliser Co-operative Ltd (298.6) seek 7.5.6(a)(ii) be retained.

The Planning Departments of Masterton, Carterton and South Wairarapa District Councils (522.26) seek that 7.5.6(a)(iv) be deleted. **Progressive Enterprises Ltd** supports this submission and **Windy Peak Trust** opposes this submission.

The **Planning Departments of Masterton, Carterton and South Wairarapa District Councils** (522.6) seeks that a rule be added to 7.5.6 requiring all the standards for permitted activities in Rule 7.5.2 to be met. **Progressive Enterprises Ltd** supports this submission and **Windy Peak Trust** opposes this submission.

Evidence Heard

Ravensdown Fertiliser Co-operative Ltd presented evidence supporting the Section 42A report recommendation of retaining Rule 7.5.6(a)(ii) making any new residential units a discretionary activity.

Commissioners Deliberations

Residential activities have different amenity expectations which may not be compatible with a range of activities undertaken in industrial areas. Therefore, the Commissioners concur with the submitter and the Section 42A report assessment and recommendation, that making new residential units a discretionary activity would be the most efficient and effective approach to managing the incompatibility between these types of activities.

The rules need to be clear and avoid confusion in terms of the activity status of proposals. Rule 7.5.6(a)(iv) results in a double 'catch-all', as all activities under Rule 7.5.2 are permitted. Therefore, Rule 7.5.6(a)(iv) is redundant and needs to be removed to provide for the effective administration of the District Plan.

Section 104(2) provides for Councils to disregard the effects of a permitted activity when determining a resource consent application for a discretionary activity. Applying the permitted activity standards to discretionary activities would be ineffective, as the activity status requires a case-by-case assessment of the effects of the particular proposal.

Decision: 7.5.6 Discretionary Activities

Submission Reference: 298.6	Accept
522.26	Accept
FS 86	Accept
FS 103	Reject
522.6	Reject
FS102	Accept
FS86	Reject

Decision Amendment: 7.5.6 Discretionary Activities

Delete 7.5.6(a)(iv) as follows:

~~(iv) Any activity that is not a permitted, controlled activity, restricted discretionary or non-complying activity is a discretionary activity.~~

Reasons

This decision is made for the following reasons:

- The activity status of discretionary activity for residential units in the Industrial Zone is the most efficient and effective approach as it manages the types of activities in the Industrial Zone to ensure its function is maintained, and not unduly compromised by incompatible activities.
- Removing the catch-all discretionary activity rule avoids potential confusion in administering the District Plan.
- The provisions of the Act provide the direction in assessing resource consent applications and consideration of permitted activity effects. This approach is considered the most efficient and effective mechanism for managing the effects from a range of activities.

31.1 Appendix 4.1 Schedule of Primary Industries

Submitter Number	Submitter Name	Further Submitter Name and Number	Further Submission Support/Oppose
526.118	Greater Wellington Regional Council	FS 61 Mighty River Power Ltd FS 36 Wairarapa Aggregates Ltd	Oppose Oppose

Discussion

Greater Wellington Regional Council (526.118) seeks that a range of activities be added to the list of primary industries, and that the term “bulk storage” be defined or quantified. **Mighty River Power Ltd** and **Wairarapa Aggregates Ltd** oppose this submission.

Evidence Heard

Greater Wellington Regional Council presented evidence supporting the Section 42A report recommendation of adding three new activities to the primary industries listed in Appendix 4.1.

Mighty River Power Ltd presented evidence supporting the Section 42A report recommendation that power generation should not be listed as a primary industry in Appendix 4.1.

Commissioners Deliberations

Primary industries have the potential to generate significant adverse effects on the environment, therefore, these activities need to be assessed through the resource consent process. The Commissioners concur with the submitters and the Section 42A report assessment and recommendation, that the existing list of activities and the three added activities are considered to be the full list of primary industries. Listing primary industries is considered to be the most efficient and effective approach to managing activities of this nature.

Decision: Appendix 4.1: Schedule of Primary Industries

Submission Reference: 526.118	Accept in part
FS 61	Accept in part
FS 36	Accept in part

Decision Amendment: Appendix 4.1: Schedule of Primary Industries

Add and amend Appendix 4.1 as follows:

Asphalt manufacture
Battery manufacture and recycling
Concrete batching
Foundry

Reasons

This decision is made for the following reasons:

- Listing primary industries is considered to be the most efficient and effective approach to managing activities of this nature. The listed activities have the potential degrade the environmental quality, and should be subject to a thorough assessment before establishing.