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## SECTION 4 BUSINESS DEVELOPMENT

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### 4.1 General Features

#### 4.1.1 Business Structure

The Kaipara district has a broad industrial and commercial base centred on Dargaville and the larger coastal and rural service settlements. The main primary processing operations are the Northland Cooperative Dairy Company Ltd's milk processing plants at Dargaville and Maungaturoto. The company is the largest single employer in the district. Several sawmills and quarries also operate in rural areas of the district.

Dargaville is the centre of most manufacturing and retail service activities. It has over 100 industrial premises ranging from clothing manufacturing to small motor repairs. They are situated mainly in Beach Road, Finlayson Park and around the edge of the town's central business area. Saleyards are situated in the town at Mangawhare. The town has around 25,000 m<sup>2</sup> of commercial floor space. The total floor space has remained relatively stable over recent years but with some changes in the location and diversity of shopping facilities.

The settlements of Te Kopuru, Ruawai, Papanoa, Maungaturoto, Kaiwaka and Mangawhai all have small commercial and industrial areas. Business activities in these settlements have been relatively stable over recent years, with some growth occurring at Mangawhai.

#### 4.1.2 Employment

At the time of the 1991 census the Kaipara district was recorded as having 5865 people employed in the full time labour force. This represented about 48% of the working age population. It comprised 4008 males (68%) and 1857 females (32%). The size of the full time labour force fell by almost 10% between 1986 and 1991 whilst the part time labour force increased by 27%.

The district's labour force is predominantly employed in farming and forestry related activities. The 1991 census shows that over 40% were in this sector. The next biggest groupings were business and community services (20%), retail and wholesale trades (13%) and manufacturing (12%)

**Table 4.1: Kaipara District : Employment Features**

	Kaipara 1981	Kaipara 1991	Northland 1991
1. Work Status			
Full Time	6,588	5,865	42,603
Part Time	513	1,314	10,335
Not Working	4,113	5,118	41,511
Total	11,214	12,297	94,449
2. Employment Status			
Self Employment	2,202	2,514	12,882
Wage or Salary Earner	3,966	3,516	30,525
Other	177	339	2,076
Unemployed	255	807	7,435
Total	6,660	7,176	52,938
3. Business Type			
Farming, Forestry, Mining	2,970	2,715	9,696
Manufacturing	726	771	5,580
Electricity and Utilities	45	48	381
Building & Construction	396	306	2,910
Retail & Wholesale	741	873	8,841
Transport & Communications	342	243	2,319
Business & Com. Services	1,177	1,284	14,550
Not defined	186	135	1,209
Total	6,583	6,369	45,483

Source : Statistics N.Z. : Population Census

## **4.2 Legislative Considerations**

### **4.2.1 Resource Management Act**

The Resource Management Act focuses on environmental management and gives limited consideration to the wider economic or employment needs of communities. Indirectly some references are made, foremost amongst these being in Section 5 where the definition of sustainable management refers to management in a way which enables communities to provide for their economic well being, health and safety. It also refers to avoiding, remedying or mitigating any adverse effect activities have on the environment. Commercial and industrial activities can, in some circumstances, have an adverse effect on the environment and therefore need to be considered within the framework of this plan.

The district plan looks primarily at these activities in so far as they affect the management of natural and physical resources, related ecosystems and amenity values. It does not deal with the future commercial and industrial well being of the district and develop associated economic strategies for key sectors such as farming, forestry and tourism. The Council has other means available to it for developing initiatives in these areas, although these are being limited with progressive legislative reforms.

The Act contains a number of provisions which are particularly relevant to commercial and industrial activities and their associated effects on the environment. These include:-

- Sections 15 and 30 - Contaminant Discharges  
The Northland Regional Council is under Section 30 given responsibility for controlling contaminant discharges into or onto land, air or water. Section 15 further prohibits any person carrying out certain activities including discharging any contaminant from any trade or industrial premises onto land or into the air. This matter is further discussed in Section 4.3.4.

- Section 31 - Noise Control  
The District Council is under Section 31 given responsibility for controlling the emission of noise and the mitigation of the effects of noise. This matter is further discussed in Section 4.3.5.
- Sections 30 and 31 - Hazardous Substances Management  
Both the Regional Council and the District Council are given responsibilities in this area. Issues related to this matter are discussed further in Section 4.3.6.

### **4.2.2 Health and Safety in Employment Act**

The Health and Safety in Employment Act 1992 deals with the health and safety of workers and workplaces. The health and safety of people are also key considerations under the Resource Management Act and the inter-relationship between the two statutes is therefore important.

Part II of the Act places a number of obligations on employers in respect of the provision and maintenance of safe working environments. Under Section 6 they are required to take all practicable steps to ensure employee safety at work which includes their exposure to any hazards. Under Sections 7-10 hazard identification systems are to be in place and procedures taken to minimise or isolate hazards which cannot be eliminated.

Under Part III of the Act codes of practice and statements of preferred work practices may be issued by the Minister of Employment through his associated Department. Regulations can also be promulgated imposing more particular duties on employers, employees and manufacturers and suppliers of equipment.

Part IV of the Act contains a number of general provisions relating to accidents, inspectors and enforcement. Inspectors appointed under the Act have the powers to inspect workplaces and issue improvement notices (Section 39) and prohibition notices. (Section 41). As their name suggests the notices can be issued to improve conditions or stop practices at a place of work. There are also related offence and penalty provisions in the Act.

**4.2.3 Health Act**

The Health Act 1956 deals with a range of public health matters some of which have a close relationship to provisions of the Resource Management Act. Part II of the Act outlines the powers and duties of local authorities in respect of public health which extend to:

- provision of sanitary works
- abatement of nuisances
- building services including water supplies and sanitary facilities
- restrictions on offensive trades
- control of watercourses

Sections 29 and 34 give the Council powers to abate nuisances. The term nuisance is generally defined in Section 29 and can include those which arise from smell, noise, vibration, dust, smoke, threat of disease etc. Orders can be sought through the District Court requiring the immediate abatement of any nuisance and ongoing reoccurrence of the same.

Section 54 places restrictions on the establishment of offensive trades. Such trades are required to be licensed by the Council in conjunction with the Medical Officer of Health. Conditions can be imposed on any licence which is to be renewed each year. The Third Schedule to the Act lists the following as offensive trades:-

Blood or offal treating	Night soil collection and disposal
Bone boiling or crushing	Refuse collection and disposal
Collection and storage of used bottles for sale	Septic tank desludging and disposal of sludge
Dag crushing	Slaughtering of animals for any purpose other than human consumption
Fellmongering	Storage, drying or preserving of bones, hides, hoofs, or skins
Fish cleaning	
Fish curing	
Fish pulping	

Flock manufacturing or testing of textile materials for any purpose  
Gut scraping and treating

Tallow melting  
Tanning  
Wood pulping  
Wool scouring

**4.2.4 Sale of Liquor Act**

The Sale of Liquor Act 1989 deals with the sale of liquor to the public. Under the Act the sale of liquor to any member of the public requires a licence. Four types of licence can be sought, these being:

- On licences which allow the consumption of liquor on specified premises
- Off licences which allow liquor to be sold or delivered on or from specified premises to any person for consumption off the premises
- Club licences which allow liquor to be sold or supplied on specified premises to club members and associated guests and visitors
- Special licences which allow liquor to be sold from specified premises for particular events or occasions.

Parts I - IV of the Act contain a number of provisions relating to licence applications, criteria for approval, conditions, duration and renewal of licences. Some of the provisions are common to all four types of licences whilst others vary. All applications are required to be made in terms of specified forms to a District Licensing Agency, which is the Kaipara District Council. Each application is to be publicly notified by the applicant and open to objection from any person over 18 who has a greater interest than the public generally. The District Licensing Agency is also required to send copies of each application to certain parties, e.g. The Fire Service, Police and Medical Officer of Health. Distribution of the applications vary according to the type of licence sought. The parties in turn are required to report to the District Licensing Agency on relevant matters. The District Licensing Agency itself also reports on all applications and has powers to make decisions on some of them.

The District Licensing Agency has powers to make decisions on the following licence applications:

- all applications for special licences
- all applications for renewal of on, off, and club licences where no objections are received and no reporting authority raises any matter in opposition. Such applications are required to be granted for a period of up to three years.

All applications for new, on, off or club licences and those applications for renewal of such which are opposed by any person or party, are referred to the Liquor Licensing Authority in Wellington for determination. New licences can be issued for a period of up to one year, after which they are subject to the relevant renewal provisions.

### **4.3 Management Issues**

#### **4.3.1 Forest Processing and Other Rural Industries**

The Kaipara district has extensive forest plantings which provide timber to several local sawmills. Most of the forests are relatively young and as such there are insufficient volumes of wood to support a major processing plant. However interest has been shown in the establishment of such a plant. Several years ago the major forest owner, Mangakahia Forest Ltd, purchased land for a proposed pulp mill site and associated industrial estate in the Awakino area immediately east of Dargaville. Two properties were purchased which are adjacent to State Highway 12 and the Dargaville - Waiotira branch railway line.

The Council is not aware of any firm proposals for industrial development of the sites and no particular provisions concerning their intended future use have been incorporated into the district plan. Should major development be planned then the Council anticipates that specific zoning provisions would be sought by way of changes to the district plan. Any such changes would be publicly notified and cover various environmental issues associated with subdivision and use of the sites including access, scale and siting of buildings, noise, use of hazardous substances and waste disposal.

The district plan makes provision for various industries to be established in rural areas. Small cottage industries which are incidental to the principal use of a site are listed as controlled activities in the Rural, Coastal and Maori Purposes zones, whilst larger processing plants such as sawmills are listed as discretionary activities. The latter provisions are intended to give the Council some control over the siting and servicing of such facilities which can range considerably in size and their associated environmental effects. Some sites which are close to built up residential areas or sensitive natural or heritage features may not be suitable for such development. Particular conditions relating to hours of operation, noise emissions, screening, siting and management of waste storage areas may be required. In considering any land use application the Council will need to be satisfied that appropriate access parking and loading facilities are available and the adjacent section of road is of a suitable standard to cater for increased traffic. Financial contributions towards road upgrading may be required in some situations, particularly for entrance improvements and associated road widening.

#### **4.3.2 Industry in Settlements<sup>#</sup>**

Most of the service industries in Kaipara are situated in Dargaville and the settlements of Te Kopuru, Ruawai, Maungaturoto, and Kaiwaka. Land has traditionally been zoned for industrial development in them. The Council considers that such zoning of land is a sound planning strategy. Industries tend to generate significant heavy traffic movements and sometimes noise, smell and other nuisance elements. A degree of segregation from particularly residential areas is generally supported by the wider community. Risks associated with the use of hazardous substances and fire are also relevant considerations.

The zoning of land for predominantly industrial development has in the past been somewhat piecemeal. Several different zones have been established, some of which catered for a limited range of uses such as the Mangawhare saleyards in Dargaville. The activity listings of the zones have been generally based around the categorisation of industries into two broad operational types 'light' and 'heavy', the latter being considered of a potentially dangerous, noxious or offensive nature. Over the years there have been considerable technological advances in many 'heavy' industries to the point where they cannot be generally categorised on this basis. The operations

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<sup>#</sup> Updated August 2005

involved in a particular industry, e.g. meat processing, can vary considerably with plant design and servicing being important in determining the environmental effects it will have. On this basis there is a need to look at a more performance based assessment of uses in Industrial zones.

In recent time demand for additional land for industry has grown in the District. At Dargaville some industries have sought greater opportunity to locate adjacent to State Highways 12 and 14 to achieve greater exposure to passing traffic. At Maungaturoto and Kaiwaka there has been a demand for further land to be included within the industrial zone to allow for the expansion of existing businesses and as an appropriate location for new activities. Several areas adjacent to these towns have been identified for future industrial zoning, however, currently some of these areas do not have all of the infrastructure required to service all types of industry that may wish to locate in a conventional Industrial zone. In particular, these areas are not served by reticulated water supplies, sewage and stormwater.

The Industrial zone provides for a range of manufacturing and processing operations as permitted activities. It covers land which has been largely developed for these purposes or is well situated and serviced to meet future industrial needs. Mineral prospecting and mineral exploration are provided for in the zone. Provision is also made for commercial and some residential uses in the zone. The latter restrictions on use are required in order that reasonable operating standards relating to noise and other matters can be set.

A Limited Industrial Zone is applied to identified areas of land at Dargaville, Maungaturoto and Kaiwaka. This zoning recognises the need to identify areas within the District which are appropriate for future industrial expansion. It is applied to locations adjacent to the main towns in the district which are capable of accommodating industrial activities but which currently do not have the infrastructure necessary to support all of the activities allowed for in the Industrial Zone. When this infrastructure is available the Industrial Zone will be applied to these areas of land. Until that time provision is made to locate industry which is capable of servicing its own infrastructure requirements within the Limited Industrial Zone.

All permitted activities in the zone are required to meet specific environmental standards. The standards cover the following matters:

- Building Coverage - building coverage is limited on sites which rely on on-site sewage and stormwater disposal systems.
- Height of Buildings - the height of buildings is restricted where they are adjacent to residential zoned sites or reserves.
- Screening of Storage Areas - all outdoor storage areas are required to be screened from adjacent residential sites zoned or reserves.
- Noise Emissions - all operations are to be carried out within prescribed noise levels.
- Lighting and Glare - restrictions on lighting and glare are specified particularly in relation to any adjacent residential sites.

#### **4.3.3 Use Storage and Disposal of Hazardous Substances**

The issue of hazardous substances management has received considerable public attention over recent years as a result of some major fires and accidents, particularly in the Auckland urban area. Whilst no similar incidents have occurred in the Kaipara district the issue is an important one. A recent survey by the Regional Council indicates that there are likely to be around 70 industrial premises in the district which use hazardous substances. Such premises include dairy factories, dry-cleaners, laboratories, printers and timber treatment plants. The substances represent a significant danger because of their chemically reactive, explosive, flammable, corrosive, toxic or disease causing nature. The potential hazard to life or wider environment usually occurs when the substances are not correctly stored or disposed of.

Several Acts and Regulations are in place which govern the storage use and disposal of particular hazardous substances. They are administered by several different authorities and include:

- Animal Remedies Act 1967 - Ministry of Agriculture and Fisheries
- Asbestos Regulations 1981 - Department of Health

- Dangerous Goods Act 1974 - Department of Labour and Kaipara District Council
- Explosives Act 1957 - Department of Labour
- Pesticides Act 1979 - Ministry of Agriculture and Fisheries
- Toxic Substances Act 1979 - Toxic Substances Board and Northland Area Health Board

In addition there are several national practice guidelines in place which are used by industry associations and public authorities. These include:

- Department of Health - National Environmental Chemistry and Acoustics Laboratory (NECAL) Guide-lines for Storage and Disposal of
  - Electroplating wastes
  - Petrol Tank sludges
  - Pesticide wastes
  - Timber treatment (arsenic based) wastes
- Department of Health - Code of Practice for the Safe Management of P.C.Bs (1988)
- Department of Labour - Code of Practice for Use of Timber Preservatives (1980)
- National Radiation Laboratory - Recommended Methods for Disposal of Tannery Wastes (1988)

The legislation surrounding hazardous substance management is fairly complex and in some areas possibly ineffective. In this regard the Minister for the Environment has announced his intention to substantially reform it. In October 1992 a discussion paper entitled Hazardous Substances and New Organisms-Proposals for Law Reform was released. It proposes the introduction of a single statute - the Hazardous Substances and New Organisms Act with consequent repeal or modification of those currently in place. A nationally based Environmental Risk Management Authority (E.R.M.A) is expected to administer the new law and develop associated national

regulations or standards relating to the use, storage and disposal of hazardous substances. It is also expected to advise on a national tracking system for those substances which are likely to have significant environmental effects, and develop a more widely based register of hazardous substances.

The Ministerial discussion paper does not particularly outline what responsibilities local authorities will have under the new legislation. It suggests Regional Councils provide planning and policy advice for the use of land for hazardous facilities, including disposal sites which receive hazardous waste substances, and issue consents for discharges to the environment. They may also become involved in tracking the movement of hazardous substances and enforcement of regulations on behalf of the E.R.M.A. District Councils are expected to administer controls on the use, development or protection of land so as to prevent adverse effects from facilities using, storing, transporting or disposing of hazardous substances..

The establishment of a register of hazardous substances and associated tracking of their use and disposal is expected to be a key component of the new legislation. At this stage it is not clear how such registration and tracking systems will operate and who be responsible for their administration. Some of their responsibilities are expected to rest with an E.R.M.A, others with Regional and District Councils. In this regard the Regional Council has established a Hazardous Substances Technical Advisory Group, one of whose tasks is to develop the basic framework of such registration and tracking for possible use in the region. The District Council is represented on this advisory group and assisting with preparation of a current register of businesses and organisations which use hazardous substances.

One of the other matters being investigated by the Hazardous Substances Technical Advisory Group is the need for special disposal facilities in the Northland region. At present there are no official disposal sites, with hazardous wastes generally being either stored on properties, or being transported to the Greenmount tip in Auckland for disposal. Some illegal disposal probably also takes place on a small scale. There are plans to close the Greenmount tip and therefore an investigation of alternative facilities is being undertaken. It is being undertaken at the same time as a nationwide study by the Centre for Advanced Engineering at the University of Canterbury on Hazardous Waste Treatment and Disposal - Appropriate Technology for New Zealand. The two main technological options being investigated are burial and incineration .

The District Council at present has no particular involvement in the provision of hazardous waste storage and disposal facilities. It advises people on the storage of hazardous wastes and endeavours to ensure that such wastes are not disposed of at its tip sites. Signs are maintained at all the tips advising of the prohibition on hazardous waste disposal under Council's bylaws, and directing people to available storage and disposal facilities.

#### **4.3.4 Control of Contaminant Discharges**

The production of unwanted by-products or wastes is often a consequence of industrial operations. Such by-products or wastes may be of a gaseous, liquid or solid nature and need to be discharged in some form into the surrounding environment. Over the years public attention has focussed on the effect of contaminant discharges from some industrial operations in the district and the associated legislative framework surrounding them. This framework has been substantially altered with introduction of the Resource Management Act and needs highlighting within the context of this plan.

Section 30 of the Act lists one of the functions of Regional Councils as being the control of discharges of contaminants into or onto land, air or water. Section 15 places general restrictions on such discharges, particularly from industrial or trade premises. It states that:

- (1) No person may discharge any -
  - (a) Contaminant or water into water; or
  - (b) Contaminant onto or into land in circumstances which may result in that contaminant (or any other contaminant emanating as a result of natural processes from that contaminant) entering water; or
  - (c) Contaminant from any industrial or trade premises into air; or
  - (d) Contaminant from any industrial or trade premises onto or into land - unless the discharge is expressly allowed by a rule of a regional plan, a resource consent, or regulations.
  
- (2) No person may discharge any contaminant into the air, or into or onto land, from -
  - (a) Any place; or
  - (b) Any other source, whether moveable or not, -

in a manner that contravenes a rule in a regional plan or proposed regional plan unless the discharge is expressly allowed by a resource consent or allowed by section 20 (certain existing lawful activities allowed).

The two key terms "contaminant" and "industrial or trade premises" are defined in Section 2 as follows:

"Contaminant" includes any substance (including gases, liquids, solids, and micro-organisms) or energy (excluding noise) or heat, that either by itself or in combination with the same, similar or other substances, energy, or heat -

- a. When discharged into water, changes or is likely to change the physical, chemical, or biological condition of water: or
- b. When discharged onto or into land or into air, changes or is likely to change the physical, chemical, or biological condition of the land or air onto or into which it is discharged:

"Industrial or trade premises" means -

- a. Any premises used for any industrial or trade purposes; or
- b. Any premises used for the storage, transfer, treatment, or disposal of waste materials or for other waste-management purposes, or used for composting organic materials; or
- c. Any other premises from which a contaminant is discharged in connection with any industrial or trade process - and includes any factory farm; but does not include any production land.

The Regional Council had responsibility for controlling contaminant discharges into water or onto land under the former Water and Soil Conservation Act. In this regard several industries in the district have water rights (now called discharge permits) in place which authorise them to discharge wastes under certain conditions. The discharge permits are issued for a limited term and the conditions of them are monitored by the Regional Council.

Contaminant discharges into the air were formerly governed under the Clean Air Act. Under this Act several industries in Kaipara were licensed to discharge pollutant material. Three types of licences were issued. Part A by the Department of Health, Part B and Part C by the District Council. All these licences remain in force for a transitional period under the Resource Management Act. The Regional Council

publicly notified a proposed Regional Air Quality Plan in July 1995. It contains rules on the discharge of contaminants to air from industrial or trade premises, and other places or sources. Various discharges are listed as controlled activities, or discretionary activities and require discharge permits. Further details on the rules and other provisions of the plan can be obtained from the Regional Council offices in Dargaville and Whangarei.

The requirements in the Act related to contaminant discharges are noted in the environmental standards for each zone. Where an activity requires a land use or subdivision consent from the District Council and also requires a discharge permit from the Regional Council provision is made in the Act for the consents to be processed concurrently and a joint hearing held, if required. The District Council will encourage the use of these procedures wherever practicable.

#### **4.3.5 Noise Control**

The control of noise emissions and the mitigation of the effects of noise is listed as one of the Council's principal functions under the Act. The function is not a new one as it had similar responsibilities under the former Town and Country Planning Act 1977 and Noise Control Act 1982. Recent reform of the legislation is expected to see a more integrated approach taken towards noise control and a variety of monitoring and mitigation measures developed.

Noise emanates from a variety of sources including aircraft, motor vehicles, industrial machinery and animals. People are sensitive to it even though it is invisible and in most situations of a variable nature. Although there is considerable individual tolerance to noise, measures can be taken to limit its impact on the general population.

Noise from industries and other land use activities has for some time been controlled through environmental performance standards in district plans. This basic approach has been retained in this plan with maximum permissible noise levels being specified for each zone. They limit the amount of noise which may be produced from each site in relation to its boundaries and proximity to other more noise sensitive environments, principally residential areas.

The noise levels specified are based largely on those in other district plans and national guidelines developed by the Department of Health and NZ Standards Association. The L10 noise level has been used for each zone. It is the sound level

measured in decibels which is equalled or exceeded for 10% of the measurement time. In setting the various noise levels the Council has sought to recognise the varying community acceptance of noise intrusion in particular zones and at different times of the day and week.

The noise levels set will be used as a basis for assessing nuisance claims and the issuing of abatement notices. Under Section 322 of the Act the Council has the powers to serve an abatement notice on any person relating to contravention of a rule in the district plan. A notice can also be issued in circumstances where any noise is noxious, dangerous, offensive or objectionable to the extent that it is likely to have an adverse effect on the environment. The notices can require that certain activities cease and action be taken to ensure compliance with rules in the district plan.

The noise performance standards and enforcement measures are intended to deal with frequent or persistent noise from manufacturing operations and other land use activities. In situations where noise nuisances are more infrequent and of short duration, such as those sometimes experienced in residential areas, control is best achieved by treating each noise source at the time. Excessive noise from an electrical appliance, musical instrument or stationary motor vehicle falls into this category. Under Section 327 of the Act the Council can, following receipt and investigation of a complaint about excessive noise, direct any person to immediately reduce the noise to a reasonable level. Such a direction may be given orally or in writing. Failure to comply with an excessive noise direction can result in seizure and removal of the device concerned.

#### **4.3.6 Commercial Area Development**

Dargaville is the principal commercial service centre in the Kaipara district. Its main commercial area is centred upon Victoria Street which is the focal point of shopping activities. A small commercial area has also been developed on the corner of Murdoch Street and River Road to serve the Mangawhare area. The smaller settlements of Te Kopuru, Ruawai, Paparoa, Maungaturoto, Kaiwaka and Mangawhai also have small commercial areas. The areas concerned have traditionally been zoned for commercial development and use. The approach has been retained in this plan with one Commercial zone covering all the areas concerned.

The Commercial zone makes provision for a range of commercial services, offices and shops which are pedestrian and light vehicle oriented. Uses which are likely to generate significant heavy traffic movements such as industrial premises and service stations are listed as discretionary activities. Some sites in the zone may not be suitable for such uses whereas others may need to be developed with special access loading and service lane facilities. Within the zone the Council also wants to retain a continuity of building frontages and verandah facilities in key pedestrian precincts. Environmental standards have been set governing these matters as well as building coverage (non-sewered sites only), building height, noise emissions and lighting.

The Council has over the years developed a range of public facilities in the main commercial areas aimed at improving people's use and enjoyment of them. Most of the recent works have been undertaken in Dargaville and include:-

- intersection improvements
- development of parking areas and service lanes
- cobblestone paving of pedestrian precincts
- provision of planter boxes and seating facilities

The Council intends maintaining the facilities, and developing new ones as finances permit. Further explanation of the Council's policies and proposals in respect of public parking areas and service lanes are outlined in Section 9.3.5.

The extent of the Commercial zone at Mangawhai Village has been increased as a result of the Mangawhai Planning Study (1997) and Mangawhai Infrastructural Assets Study (1999). Investigations are planned into possible extension of the Mangawhai Heads Commercial Area (Wood Road) and parking, street furniture and planting works.

#### **4.3.7 Liquor Licensing**

The sale and consumption of liquor is controlled under the Sale of Liquor Act 1989. Its principal features are outlined in Section 4.2.4. The objective of the Act is to establish a reasonable system of control over the sale and supply of liquor to the

public with the aim of contributing to the reduction of liquor abuse so far as can be achieved by legislative means". (Section 4 refers)

The control is achieved through a licensing system, which in accordance with the Act's objective, focuses on the human health aspects of liquor consumption. In considering licence applications the District Licensing Agency and Liquor Licensing Authority are generally required to consider the following matters:-

- the suitability of the applicant
- the days and hours of operation involved
- the nature of restricted or supervised areas on the premises
- the steps proposed to prevent the sale of liquor to prohibited persons
- the extent to which non-alcoholic food and beverages are to be offered

All applications for new on, off or club licenses are required to be accompanied by a certificate from the District Council "that the proposed use of the premises meets town planning requirements". (Sections 12,31 and 55 refer) This procedure generally involves the local authority certifying that the sale of liquor from the premises concerned is authorised because it comes within the permitted activity listing of the relevant zone or is subject of a specific resource consent. It is intended to ensure that account is taken of any wider environmental effects associated with the sale and consumption liquor.

The environmental effects arising from the sale and consumption of liquor on or from a site are often difficult to assess, especially where a variety of other related activities are undertaken. For instance a restaurant or sporting club in a residential area is likely to create significant traffic and noise impacts irrespective of whether and in what form liquor is available from it. The movement of people and vehicles associated with wider use of a site will be important factors in determining its suitability and associated conditions of its management. Licensing authorities are required to consider the location of premises in relation to neighbouring land uses when determining licence conditions and have powers to limit both the days on and hours during which liquor is available if sold. Taking into account these matters the

Council considers that no particular provisions related to the sale and consumption of liquor are required in the district plan.

#### **4.3.8 Parks and Reserves**

The Council maintains a small number of parks and reserves in the main commercial areas of Dargaville, Ruawai, Maungaturoto and Kaiwaka. They are relatively small in size but serve as important open space areas for workers, shoppers and visitors alike. Some of the parks contain toilet facilities, seats, playground equipment and the like. The Council intends progressively upgrading the facilities and establishing new ones as part of its reserve development programme. Whilst some upgrading of facilities is required, the reserves areas themselves are considered adequate to meet existing and foreseeable future needs. The Council at this stage has no plans to acquire land for reserve purposes in the various commercial areas.

As outlined in Section 3.3.8 the Council can put provisions in its district plan requiring people who develop or subdivide land to contribute financially to reserves and other similar facilities in the immediate area. Such contributions may be in the form of land, cash or works including the planting of trees and shrubs. Cash contributions can be used to upgrade facilities on reserves or purchase additional land for reserve purposes.

The Kaipara District Council like its predecessor Councils has not generally sought reserve contributions in respect of the development or subdivision of land for commercial or industrial purposes. This approach has been adopted largely because of the problems in establishing a clear link between such developments or subdivisions and the use of reserve facilities. In most cases the impact of the development or subdivision is negligible and it is difficult to establish a fair and equitable contribution system. The Council wants to encourage the progressive upgrading of buildings and associated rationalisation of land holdings in the main commercial areas. It does not want any redevelopment to be hindered by unnecessary financial disincentives. As a general policy the Council will only require a reserve contribution in the following situations:

- where a landscaped strip or other form of buffer is required to protect the amenities of an adjacent site, especially of a residential nature; or

- where an existing feature such as a stand of trees is worthy of protection and incorporation into a reserve.

Any contributions required will be in land and assessed on the same basis as for residential lots, ie. up to a maximum of 100 m<sup>2</sup> per lot. No cash contributions will be sought.

### **4.4 Objectives Policies and Methods of Implementation**

#### **4.4.1 Objectives - Industry and Commerce**

Objective 1: To facilitate the establishment of industrial and commercial land uses throughout the district whilst minimising their impact on amenities and environmental values.

Explanation: Limited control is required over the location of industrial and commercial land use activities. Emphasis is placed on the protection of amenity and environmental values in accordance with the principles of the Act and the associated planning responsibilities of the Council.

#### **4.4.2 Policies and Methods of Implementation**

##### **(1) Industrial Land Use<sup>#</sup>**

Policy 1: To provide for the development of strategically situated industrial areas in the major settlements with appropriate access, amenity and servicing controls.

Policy 2: To provide for industrial development in selected locations which have limited existing infrastructure. Such development shall meet its own infrastructure needs or not place demands on existing infrastructure such that the reasonably foreseeable needs of other land uses in the District cannot be met.

Policy 3: To provide for the establishment of suitable commercial and industrial land uses in rural areas whilst minimising their impact on adjacent sites.

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<sup>#</sup> Updated August 2005

#### Methods of Implementation

- 1 Zone land for principally industrial development in the settlements of Dargaville, Te Kopuru, Ruawai, Maungaturoto, Kaiwaka and Mangawhai.
- 2 Rezone land from Limited Industrial to Industrial when there are full services and infrastructure available to support all activities permitted in the Industrial Zone.
- 3 Rules which list factories, warehouses, and similar industrial premises as permitted activities in the Industrial zone.
- 4 Rules which limit the extent of commercial and residential land use activities in the Industrial zone.
- 5 Administer environmental standards (rules) relating to the height of buildings, building coverage, screening of storage areas, noise emissions and lighting in the Industrial zone.
- 6 Rules which list as controlled or discretionary activities in the Rural, Coastal, Maori Purposes, and Commercial zones those industrial land uses which are compatible with each zone's objectives.
- 7 Apply special assessment criteria (rules) to land use consent applications involving industrial activities in the Rural, Coastal, Maori Purposes, and Commercial zones having particular regard to building design, hazardous substances, landscaping, noise, utility services and vehicle related impacts.

Explanation: Industrial land uses are to be encouraged to locate in areas specially zoned for such purposes. This will enable appropriate road and utility services to be provided in a cost effective manner. The associated segregation of land use activities will also offer a degree of protection to residential and other areas with high amenity values. At the same time it is recognised that some industrial land uses can be established outside the zoned areas, especially in a rural setting.

#### (2) Commercial Land Use

Policy 1: To provide for the development of strategically situated commercial areas in the major settlements which are visually attractive and convenient to people.

Policy 2: To provide for the establishment of suitable commercial land uses in industrial, residential and rural areas whilst minimising their impact on adjacent sites.

#### Methods of Implementation

- 1 Zone land for principally commercial development in the settlements of Dargaville, Te Kopuru, Ruawai, Paparoa, Maungaturoto, Kaiwaka and Mangawhai.
- 2 Rules which list a range of pedestrian oriented land uses as permitted activities in the Commercial zone.
- 3 Rules which limit the establishment of land uses which generate significant heavy traffic noise and other nuisance elements in the Commercial zone.
- 4 Administer environmental standards (rules) relating to the height of buildings, building coverage, noise emissions and lighting in the Commercial zone.
- 5 Rules which require the provision of verandahs on buildings in key pedestrian precincts in the Commercial zone.
- 6 Develop suitable landscaped areas, pedestrian areas, parking and service lane facilities in the Commercial zone.
- 7 Rules which list as controlled or discretionary activities in the Industrial Residential, Rural, Coastal and Maori Purposes zones those commercial land uses which are compatible with each zone's objectives.
- 8 Apply special assessment criteria (rules) to land use consent applications involving commercial activities in the Industrial, Residential, Rural Coastal and Maori Purposes zones having particular regard to building design, landscaping, noise, activity services, and vehicle related impacts.

Explanation: Commercial land uses are to be encouraged to locate in strategically zoned areas where special pedestrian and parking facilities exist along with utility

services. Provision is however made for a range of commercial activities to be established in areas zoned for principally industrial, residential and rural land uses. This is intended to reflect the varying scale of such activities and the limited impact many of them can have with sensitive design and servicing.

**(3) Hazardous Substances Management**

Policy 1: To encourage and where possible require the safe use storage and disposal of hazardous substances.

Methods of Implementation

- 1 Advise people on the requirement concerning the use, storage and disposal of hazardous substances in the Animal Remedies Act, Asbestos Regulations, Dangerous Goods Act, Explosives Act, Pesticides Act, and Toxic Substances Act and related national practice guidelines.
- 2 Assist the Regional Council's Hazardous Substances Technical Advisory Group with a register of hazardous substance users and investigations into special disposal facilities.
- 3 Prepare and circulate publicity material on the storage, use and disposal of hazardous substances.
- 4 Administer bylaw provisions relating to the disposal of hazardous substances at tip sites and monitor associated dumping activities.
- 5 Review the relevant provisions of this plan following introduction of Hazardous Substances and New Organisms Act.

Explanation: The District Council is one of several bodies with responsibilities in the area. It intends developing more specific planning proposals following introduction of proposed new legislation and associated investigations by the Northland Regional Council.

**(4) Noise Emissions**

Policy 1: To ensure that noise emissions from sites do not unduly disturb or restrict activities on adjoining sites and detract from the amenities of the district.

Methods of Implementation

- 1 Administer performance standards (rules) relating to maximum permissible noise levels in all zones.
- 2 Utilise the abatement notice and excessive noise direction provisions in the Act in appropriate circumstances.
- 3 Monitor noise levels in key areas and periodically review associated district plan provisions.
- 4 Liaise with the Department of Labour on noise from factories and commercial premises and associated requisition notices.

Explanation: The Council's noise control responsibilities are to be exercised through administration of performance standards in the plan and general abatement notice and excessive noise direction provisions in the Act. Monitoring of noise levels from key industrial areas is to be carried out in conjunction with the Department of Labour who also have some responsibilities in this field.

**(5) Reserves and Public Open Space**

Policy 1: To ensure that adequate reserves and public open spaces are developed and maintained in commercial and industrial areas.

Methods of Implementation

- 1 Rules which enable reserve contributions to be required as conditions of development or subdivision in appropriate circumstances.
- 2 Prepare and maintain reserve management plans for major reserves.

- 3 Upgrade and develop new facilities on reserves in accordance with a five yearly reserves management strategy.

Explanation: The Council's reserves management policy is directed at better use of existing reserves with limited further expansion in accordance with development trends.

**(6) Services**

Policy 1: To encourage and where practicable require the development of community based sewerage, stormwater and water supply services in commercial and industrial areas.

Policy 2: To control the development and subdivision of land based on septic tanks and other similar forms of wastewater disposal and monitor environmental conditions in such areas.

Methods of Implementation

- 1 Rules which limit the number and size of buildings on sites which rely on septic tank systems and other similar forms of wastewater disposal.
- 2 Utilise the findings of the Molesworth Peninsula Urban Capability Survey and commission similar surveys and site suitability reports where necessary.
- 3 Maintain existing sewerage, stormwater and water supply services and require appropriate financial contributions towards their extension and upgrading as conditions of land use and subdivision consent.
- 4 Prepare and distribute publicity material on alternative wastewater treatment systems.
- 5 Investigate introduction of bylaws relating to the maintenance and desludging of septic tanks in key settlements.

Explanation: The effective servicing of commercial and industrial sites is required to safeguard human health and the natural environment.

**(7) Amenity Values**

Policy 1: To promote the development of visually attractive business areas, particularly in sensitive settlement 'gateway' locations.

Methods of Implementation

1. Rules which require provision of landscaping, pedestrian and visual amenity enhancement plans for subdivision of Commercial and Industrial zoned sites on Molesworth Drive (Mangawhai Heads and Mangawhai Village).
2. Rules which specify building setbacks and front yard landscaping for the Commercial and Industrial zoned land in Molesworth Drive (Mangawhai Heads and Mangawhai Village).

Explanation: The Mangawhai Planning Study and associated public consultation highlighted the 'gateway' function of Molesworth Drive and the potential for further business development to detract from the landscape, pedestrian and visual amenities of the area. Special provisions are appropriate for these and other 'gateway' areas which may be developed in the future.

**4.5 Rules**

**4.5.1 Commercial Zone - Zone Statement**

This zone covers land in Dargaville and other service centres which has been developed primarily for shopping and office purposes or is suitable for such development. It provides for a range of commercial land uses which are pedestrian and light vehicle oriented as permitted activities. Land uses which are likely to generate significant heavy traffic movements, or have special access requirements such as service stations are listed as discretionary activities.

The environmental standards for the zone are intended to retain the attractive, commercial character of each area. A continuity of building frontage and verandah cover is sought in the principal shopping precincts. Loading and parking facilities are to be provided on sites which have suitable road or service lane access. Limited controls are placed on advertising signs in accordance with the purpose of the zone.

Special provisions apply to the zoned area on Molesworth Drive (Mangawhia Village) which has some visual amenity values. All building development in this area is a controlled activity with the Council exercising discretion over the design and appearance of buildings, landscaping, parking and road access. This is to ensure that attractive landscaped and pedestrian areas are developed and the designs of the buildings reflect their prominent roadside positions.

#### **4.5.2 Commercial Zone - Permitted Activities**

1. Camping grounds and visitor accommodation.(i)
2. Commercial services, offices and shops.(i)
3. Community and recreational facilities.(i)
4. Conservation areas and reserves.
5. Electricity substations.(i)
6. Hotels, restaurants, taverns and tourist house premises.(i)
7. Network utilities including those in existence at the date of public notification of the proposed plan and their maintenance and upgrading where of a minor nature.
8. Soil conservation and river control works.
9. Temporary military activities.
10. Vehicle parking areas.(i)
11. Walkways.
12. Accessory buildings and uses to any of the above.(i)
13. Residential dwellings ancillary to any of the above.(i)

NB (i) Except within Molesworth Drive area (Mangawhai Village) shown on Planning Map 59.

#### **4.5.3 Commercial Zone - Controlled Activities**

1. Hospitals, resthomes and welfare homes.
2. Mineral prospecting and exploration.
3. Telecommunication works, telephone exchanges and electricity transmission (high voltage) lines.(ii)
4. Accessory buildings and uses to any of the above.
5. Camping grounds and visitor accommodation, commercial services, offices and shops, community and recreational facilities, electricity substations, hotels, restaurants, taverns and tourist house premises, vehicle parking areas, accessory buildings and uses to any of the above, residential dwellings ancillary to any of

the above, within the Molesworth Drive area (Mangawhai Village) shown on Planning Map 59.

NB (ii) Except within Molesworth Drive area (Mangawhai Village) shown on Planning Map 59.

#### **4.5.4 Commercial Zone - Discretionary Activities**

1. Depots and warehouses.
2. Network utilities not being a permitted activity.
3. Refuse recycling facilities and transfer stations.
4. Service stations.
5. Wharves, jetties and other landing facilities.
6. Vehicle sales premises.
7. Accessory buildings and uses to any of the above.
8. Any activity listed as a permitted or controlled activity which fails to comply with the environmental standards for the zone.
9. Electricity stations, telecommunication works, telephone exchanges and electricity transmission (high voltage) lines within the Molesworth Drive area (Mangawhai Village) shown on Planning Map 59.

#### **4.5.5 Commercial Zone - Environmental Standards**

The following standards shall apply to all permitted activities in the zone, except network utilities.

##### **1. Buildings and Structures**

- (a) Location of Buildings Near Lakes Rivers and the Sea  
No building shall be erected within 15 metres of mean high water mark of the coastal marine area, or the banks of any lake whose bed has an area of 8ha or more, or the bank of any river or stream whose bed has an average width of 3 metres or more.
- (b) Height of Buildings - Sites Adjoining a Reserve or Residential Zoned Site

No building shall exceed a height of 7.5 metres or that equal to 3 metres plus the shortest horizontal distance between that part of the building and any site boundary which adjoins a reserve or residential zoned site.

(c) Verandahs

Every building fronting a street shall have upon its erection, substantial reconstruction or alteration be provided with a verandah. Each verandah shall have a minimum height of 2.9 metres measured from the average finished level of the footpath to the underside of the verandah and be so related to adjacent verandahs as to provide continuity of height and cover. It shall extend from the supporting building to a point 0.45 metres behind the face of the kerb. No verandah shall be supported by posts on the street. Fascia shall have a minimum depth of 0.3 metres and a maximum depth of 0.45 metres and be of a uniform level unless otherwise approved by the Council. The verandah requirements are illustrated in Appendix 4A.

(d) Building Coverage

Any site which relies on on-site sewage and stormwater disposal shall have an area of at least 400m<sup>2</sup> available for sewage disposal and an area of at least 100m<sup>2</sup> available for stormwater disposal.

(e) Screening of Storage Areas

All storage areas shall be screened from public places and residential zoned sites by a close boarded fence, solid wall or other suitable screen being at least 2 metres high.

(f) Minimum Floor Level of Buildings

See NZ Building Code (Clause E 1.3.2)

(g) Buildings and Structures Near Road and Rail Intersections

See Rule 9.5

(h) Buildings and Structures Near Electricity Lines

See Electricity Regulations 1993

(i) Buildings and Structures Near Gas Lines

See Gas Supply Regulations 1984

(j) Buildings and Structures Near Drains

See Kaipara District Council Land Drainage Bylaw

(k) Location of Buildings in Relation to Site Boundaries (Yard Setbacks) and Front Yard Landscaping – Molesworth Drive area (Mangawhai Heads)

Buildings are to be set back the following distances from site boundaries:

- Front yards - 10 metres
- Rear and Side - 5 metres where adjoining a reserve or residential zoned property

All land, except authorised vehicle crossings, driveways and parking areas within 10 metres of the road boundary shall be kept free of buildings, and landscaped in a visually attractive manner.

**2. Noise Emissions**

(i) Noise Limits

(a) All activities shall be conducted so as to ensure that noise from the site shall not exceed a sound level of 60 dBA L10, neither at nor within the boundary of any other site in the Commercial zone.

(b) All activities shall be conducted so as to ensure that noise from the site shall not exceed the following limits, neither at nor within the boundary of any site zoned Residential, nor within the notional boundary of any dwelling on a site in the Rural, Coastal or Maori Purposes zones.

7.00am to 7.00pm Monday to Saturday	55 dBA L10
All other times and on public holidays	45 dBA L10
Any day from 10.00pm to 7.00am the following day	70 dBA L max

provided that the abovementioned noise limits may be exceeded under the following circumstances:-

- (1) where emergency valves need to be used for a short period of time during emergencies.

(2) where safety valves are being tested on a site. On these occasions public notification of safety valve testing shall be given one week prior by advertisement in the local paper.

No lighting on any site shall be directed towards residential zoned sites or towards any streets so as to cause any objectionable spilling of light.

(ii) Measurement of Noise

Subject to the express provisions of this rule, sound levels shall be measured in accordance with New Zealand Standard NZS 6801:1991 Measurement of Sound and assessed in accordance with NZS 6802:1991 Assessment of Environmental Sound.

No operation shall be conducted such that direct or indirect illumination creates a danger or nuisance to residents living on any residential zoned site.

(iii) Construction Noise

Construction noise shall meet the limits recommended in, and shall be measured and assessed in accordance with, NZS 6803P:1984 The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work.

(iv) Noise From Military Activities

Noise emanating from military activities of a temporary nature shall not exceed the following limits, neither at nor within the boundary of any site zoned Residential nor within the notional boundary of any dwelling on a site in the Rural, Coastal or Maori Purposes zones.

Time (Any Day)	Limits (dBA)		
	L10	L95	Lmax
0630 - 0730	60	45	70
0730 - 1800	75	60	90
1800 - 2000	70	55	85
2000 - 0630	40		

Notwithstanding the above, noise measured from the notional boundary of any residential property, resulting from the use of explosives, shall not exceed 122 dBC and shall be limited to daylight hours.

**3. Lighting and Glare**

#### 4. Fire Safety

No structure shall be erected or excavation made in such a way as to impede the movement of fire service vehicles or equipment and generally restrict access for fire fighting purposes.

The use of buildings and sites shall at all times be in accord with the fire safety requirements specified in NZ Standard NZS 9231 (1971) "Model Bylaw For Fire Prevention".

#### 5. Contaminant Discharges

No activity shall be carried out which results in the discharge of any contaminant to the air, onto land or into water in contravention of Section 15 of the Resource Management Act unless provided for by a rule in a Regional Plan, or a Proposed Regional Plan or a resource consent (See Section 4.3.4 for further explanation)

6. **Protection of Heritage and Natural Features** See Section 8.

7. **Signs** See Section 9.

8. **Vehicle Access Loading and Parking** See Section 9.

#### 9. Other Resource Consents

People undertaking a land use listed as a permitted activity, controlled activity or discretionary activity in the zone are advised to contact the Northland Regional Council to determine if any other resource consents are required under the provisions of any Regional Plan. All Regional Plans are available for inspection at the Regional Council offices in Dargaville and Whangarei.

### 4.6 Industrial Zone

#### 4.6.1 Industrial - Zone Statement

This zone covers land in Dargaville, Mangawhai and other settlements which have been developed primarily for a variety of commercial and industrial uses purposes or

is suitable for such development. It provides for a range of business activities as well as residential uses which are of an ancillary nature. It is intended to accommodate land uses which can generate significant traffic and other off-site environmental impacts. Such uses are encouraged to locate in the zone rather than in more sensitive residential and commercial areas where they can cause nuisance problems and detract from their amenities.

Controls are placed on the design and location of buildings where they adjoin arterial roads, residential and reserve areas. Special provisions apply to the zoned area on Molesworth Drive (Mangawhai Heads) which has some visual amenity values. All building development in this area is a controlled activity with the Council exercising discretion over the designs and appearance of buildings, landscaping, parking and road access. This is to ensure that the 'treed' avenue character of the area is retained, appropriate landscaping is provided, and the designs of buildings reflect their prominent roadside positions. Noise emissions, lighting and the servicing of storage facilities are the subject of specific environmental standards. Provision of on-site loading and parking facilities is required for most land use activities.

#### 4.6.2 Limited Industrial – Zone Statement<sup>#</sup>

This zone covers areas of land in Dargaville, Maungaturoto and Kaiwaka which have been identified as suitable for future industrial expansion in the District. This zone is intended to supplement that currently available in the Industrial Zone. Land in the Limited Industrial Zone does not at present have all of the infrastructure services required to support the full range of industrial activities. The growth of industrial activity in the district is currently at a relatively low level as is the take-up rate of land for new industry in the district. It is uneconomic and would be an unsustainable burden on the financial resource of the district to provide infrastructure in the Limited Industrial zone in anticipation of the new industry locating in the zone. For this reason activities in the Limited Industrial Zone are confined to those which can provide for their own infrastructure requirements or which do not place unsustainable demands on existing infrastructure where it is available.

A structure plan is provided for the Limited Industrial Zone at Dargaville to give direction to future development. This is intended to ensure that vehicle access to sites is not created directly from State Highway 14.

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<sup>#</sup> Updated August 2005

Council will monitor the growth of industrial activity at each location within the zone as consents are granted. Where appropriate infrastructure services are in place Council will consider re-zoning the land Industrial. Apart from control over the above matters the district plan controls for the Limited Industrial Zone are as for the Industrial Zone.

#### **4.6.3 Industrial Zone and Limited Industrial Zone - Permitted Activities<sup>#</sup>**

1. Commercial services, offices and shops (i)
2. Conservation areas and reserves.
3. Depots and warehouses.(i)
4. Electricity substations.(i)
5. Factories and industrial premises.(i)
6. Farming.
7. Forestry.
8. Hotels, restaurants, taverns and tourist house premises.(i)
9. Mineral prospecting provided that a Mineral Prospecting Notice is submitted to the Council before prospecting commences.
10. Network utilities including those in existence at the date of public notification of the proposed plan and their maintenance and upgrading where of a minor nature.
11. Refuse recycling facilities and transfer stations.(i)
12. Service stations.(i)
13. Soil conservation and river control works.
14. Telecommunication works, telephone exchanges, and electricity transmission lines (high voltage).(i)
15. Temporary military activities.
16. Vehicle sales premises.(i)
17. Walkways.
18. Accessory buildings and uses to any of the above.

NB (i) Except within Molesworth Drive area (Mangawhai Heads) shown on Planning Map 57

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<sup>#</sup> Updated August 2005

#### **4.6.4 Industrial Zone and Limited Industrial Zone - Controlled Activities<sup>#</sup>**

1. Mineral exploration.
2. Residential dwellings ancillary to any permitted activity.
3. Commercial services, offices and shops, depots, warehouses, electricity substations, factories and industrial premises, hotels, restaurants, taverns and tourist house premises, refuse recycling facilities and transfer stations, service stations, telecommunication works, telephone exchanges, and electricity transmission lines (high voltage), vehicle sales premises within the Molesworth Drive area (Mangawhai Heads) shown on Planning Map 57.
4. Accessory buildings and uses to any of the above.

#### **4.6.5 Industrial Zone and Limited Industrial Zone - Discretionary Activities<sup>#</sup>**

1. Community and recreational facilities.
2. Network utilities not being a permitted activity.
3. Stock Saleyards
4. Wharves, jetties and other landing facilities.
5. Accessory buildings and uses to any of the above.
6. Any activity listed as permitted or controlled activity which fails to comply with the environmental standards for the zone.

#### **4.6.6 Industrial Zone and Limited Industrial Zone - Environmental Standards<sup>#</sup>**

The following standards shall apply to all permitted activities in the zone, except network utilities.

##### **1. Buildings and Structures<sup>#</sup>**

- (a) Location of Buildings Near Lakes Rivers and the Sea  
No building shall be erected within 15 metres of mean high water mark of the coastal marine area, or the banks of any lake whose bed has an area of 8ha or

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<sup>#</sup> Updated August 2005

more, or the bank of any river or stream whose bed has an average width of 3 metres or more.

- (b) **Height of Buildings - Sites adjoining a reserve or residential zoned site**  
No building shall exceed a height of 7.5 metres or that equal to 3 metres plus the shortest horizontal distance between that part of the building and any site boundary which adjoins a reserve or residential zoned site.
- (c) **Building Coverage**  
Any site which relies on on-site sewage and stormwater disposal shall have an area of at least 400m<sup>2</sup> available for sewage disposal and an area of at least 100m<sup>2</sup> available for stormwater disposal.
- (d) **Screening of Storage Areas**  
All storage areas shall be screened from public places and residential zoned areas by a close boarded fence, solid wall or other suitable screen at least 2 metres high
- (e) **Buildings and Structures Near Electricity Lines**  
See Electricity Regulations 1993
- (f) **Buildings and Excavations Near Gas Lines**  
See Gas Supply Regulations 1984
- (g) **Buildings Near Road and Rail Intersections**  
See Rule 9.5
- (h) **Minimum Floor Levels of Buildings**  
See N.Z. Building Code (Clause E1.3.2)
- (i) **Buildings and Structures Near Drains**  
See Kaipara District Council Land Drainage Bylaws
- (j) **Location of Buildings in Relation to Site Boundaries (Yard Setbacks) and Front Yard Landscaping - Molesworth Drive area (Mangawhai Heads)**

Buildings are to be set back the following distances from site boundaries :

- Front yards - 10 metres
- Rear and Side - 5 metres where adjoining a reserve or residential zoned property

All land except authorised vehicle crossings, driveways and parking areas within 10 metres of the road boundary shall be kept free of buildings and landscaped in a visually attractive manner.

- (k) **Location of Buildings with the Limited Industrial Zone at Dargaville**  
Buildings must be located such that they meet the front yard set back of rule (j) above relative to the indicative road shown on the zone structure plan.

## 2. Noise Emissions

- (a) **Noise Limits**
  - (i) All activities shall be conducted so as to ensure that noise from the site shall not exceed a sound level of 60 dBA L10, neither at nor within the boundary of any other site in the Industrial zone.
  - (ii) All activities shall be conducted so as to ensure that noise from the site shall not exceed the following limits, neither at nor within the boundary of any site zoned Residential, nor within the notional boundary of any dwelling on a site in the Rural, Coastal or Maori Purposes zones.

7.00am to 7.00pm Monday to Saturday	55 dBA L10
All other times and on public holidays	45 dBA L10
Any day from 10.00pm to 7.00am the following day	70 dBA L max

## 3. Lighting and Glare

No lighting on any site shall be directed towards residential zoned sites or towards any streets so as to cause any objectionable spilling of light. No operation shall be conducted such that direct or indirect illumination creates a danger or nuisance to residents living on any residential zoned site.

#### **4. Fire Safety**

No structure shall be erected or excavation made in such a way as to impede the movement of fire service vehicles or equipment and generally restrict access for fire fighting purposes.

The use of buildings and sites shall at all times be in accord with the fire safety requirements specified in NZ Standard NZS 9231 (1971)"Model Bylaw For Fire Prevention".

#### **5. Water and Wastewater<sup>#</sup>**

All activities within the Limited Industrial Zone must be capable of and provide for on-site water supply, disposal of sewage and stormwater disposal, and be located on sites having the areas available for sewage and stormwater disposal required by rule 4.6.6.1(c)

#### **6. Contaminant Discharges**

No activity shall be carried out which results in the discharge of any contaminant to the air, onto land or into water in contravention of Section 15 of the Resource Management Act unless provided for by a rule in a Regional Plan or a Proposed Regional Plan or a resource consent (See Section 4.3.4 for further explanation).

**7. Protection of Heritage and Natural Features** See Section 8.

**8. Signs** See Section 9.

**9. Vehicle Access Loading and Parking** See Section 9.

#### **10. Other Resource Consents**

People undertaking a land use listed as a permitted activity, controlled activity or discretionary activity in the zone are advised to contact the Northland Regional Council to determine if any other resource consents are required under the provisions of any Regional Plan. All Regional Plans are available for inspection at the Regional Council offices in Dargaville and Whangarei.

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<sup>#</sup> Updated August 2005

**APPENDIX 4A: COMMERCIAL ZONE - VERANDAH REQUIREMENTS FOR BUILDINGS**

