



# PLAN CHANGE 79 SCREENING IN COMMERCIAL AND INDUSTRIAL ZONES

PLANNING REPORT

*The Western Bay Way*



*Western Bay of Plenty  
District Council*

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## **1.0 Introduction**

- 1.1** The purpose of this report is to provide recommendations on submissions to Plan Change 79 – Screening in Commercial and Industrial Zones.
- 1.2** Plan Change 79 reviews the screening controls for activities in the Commercial and Industrial Zones to address some anomalies that exist.
- 1.3** Plan Change 79 proposes to delete a requirement for activities in the Commercial Zone which have a common boundary with a sensitive zone or public reserve (or are separated from them by a road) to obtain controlled activity resource consent to address screening. Resource consent isn't required anymore because the District Plan Review introduced permitted activity performance standards to satisfactorily address screening in Commercial and Industrial Zones. The requirement for resource consent was deleted from the Industrial Section but was not deleted from the Commercial Section due to an oversight.
- 1.4** Plan Change 79 also proposes to amend these permitted activity performance standards by deleting the requirement for activities in Commercial and Industrial Zones to screen from sensitive zones separated from them by a road. This is because the Commercial Section's performance standards already require a high level of amenity along road frontages and all Industrial Zones across the road from sensitive zones have their visual effects mitigated through other rules. This removes the confusion associated with having conflicting rules.
- 1.5** For a full background to the Plan Change and the proposed provisions please refer to the Section 32 Report. For a list of the proposed provisions only, please refer to the document titled 'Summary of Recommendations – All Section 32 Reports'.

## **2.0 Topic: Property Specific Concerns – Omokoroa**

### **2.1 Submission Points**

- 2.1.1** Fairthorpe Family Trust opposes any screening reduction in or around the Industrial Zone on the corner of State Highway 2 and Omokoroa Road. They say that this industrial area was proposed to them as a "light business" zoning with a 10m planted buffer surrounding it but that Council has already granted a reduction to 5m. They say this is ineffective and not what was agreed and are concerned that the Plan Change will further reduce screening without the need to consult landowners.

## 2.2 Discussion

This submitter is currently in discussions with Council to resolve the concerns over the planted buffer they mention in their submission. Furthermore, this Plan Change does not reduce screening requirements for any Industrial Zone. The Plan Change amends a permitted activity performance standard to remove a requirement for Industrial Zones to screen activities from sensitive zones 'across the road'. This is because the potential visual effects are mitigated through other rules and there is no need to have multiple rules trying to achieve the same outcome. Therefore, the matters raised by the submitter are outside the scope of the Plan Change.

## 2.3 Recommendation

That the Plan Change is retained as notified.

The following submission is therefore:

### Rejected

Submission	Point Number	Name
14	1	Fairthorpe Family Trust

## 2.4 Reason

**2.4.1** This Plan Change does not reduce screening requirements for any Industrial Zone. The Plan Change amends a permitted activity performance standard to remove a requirement for Industrial Zones to screen activities from sensitive zones 'across the road'. This is because the potential visual effects are mitigated through other rules and there is no need to have multiple rules trying to achieve the same outcome. Therefore, the matters raised by the submitter are outside the scope of the Plan Change.

## 3.0 Plan Change 79 - Recommended Changes to the District Plan First Review

**3.1** The purpose of this part of the report is to show the Proposed Plan Change in full including any recommended changes in response to the submissions and further submissions.

**3.2** Recommended changes to the District Plan First Review are shown as follows; existing District Plan text in black, proposed changes as included in the Section 32 Report in red, and recommendations as a result of this Planning Report in blue.

**3.3 Delete rule 19.3.2(d) and consequentially renumber 19.3.2(e) to 19.3.2(d), as shown below:**

19.3.2 Controlled Activities

- (a) Subdivision.
- (b) Dwellings provided they are located above ground floor level.
- (c) Works and network utilities as provided for in Section 10.
- (d) ~~With respect to screening, any activity in Rule 19.3.1 which has a common boundary with or is separated by a road from a Residential, Rural or Future Urban zone or a public reserve.~~
- (e) With respect to financial contributions only:
  - (i) The erection or undertaking of one or more commercial activities other than the first such activity on a site or significant expansion of an existing activity (significant expansion is an increase of more than 0.5 of a household equivalent for services);
  - (ii) Any activity in 19.3.1 which has a household equivalent for water and wastewater greater than one as listed in Rule 11.3.3 (c).

**3.4 Amend rule 4C.5.3.1 as follows:**

4C.5.3.1 General

The following performance standards shall be ~~met by all Controlled Activities that are required to be screened by a specific rule in the District Plan, and shall be~~ used as a guide for all Discretionary and Non-Complying Activities. At Omokoroa Stage 2, such screening is additional to the 10m buffer landscaping required about Industrial Zones.

**3.5 Amend Rule 4C.5.3.2 as follows:**

4C.5.3.2 Screening in Industrial and Commercial Zones

The following landscape areas and requirements will be implemented either at the time of subdivision or development as the case may require.

- (a) Unless otherwise required by a rule in the District Plan any activity which has a common boundary with ~~or is separated by a road from a~~ Residential, Rural-Residential, Future Urban or Rural Zone, or a public reserve shall be screened by landscape planting to a minimum depth of 3m and a minimum height of not less than 2m.

The screen must be a minimum of 1.2m high at the time of planting and be capable of achieving a height of 2m within two years.