

**BEFORE THE INDEPENDENT HEARINGS PANEL  
AT TAUPO**

**UNDER THE**

Resource Management Act 1991

**IN THE MATTER OF**

the hearing of submissions on Plan  
Change 43 'Industrial Rezoning' to  
the Taupō District Plan

**AND**

**IN THE MATTER OF**

TIEL, Advance Properties Group and  
Taupō District Council – Interface  
Issues Napier Road (Area 7)

**JOINT STATEMENT ARISING FROM PLANNER EXPERT CAUCUSING**

**3 November 2023**

## INTRODUCTION

1. This joint witness statement (**JWS**) is the outcome of planner expert caucusing with respect to the Advance Properties Group (**Advance**) submissions on Plan Change 43 ‘Industrial Rezoning’ to the Taupō District Plan (**PC43**) relating to the Napier Road rezoning<sup>1</sup>.
2. Part of that submission, as supported in evidence by Ms Lewis was for the rejection of the rezoning on the basis of it adjoining a Residential Environment (zone).
3. The position advanced in the s42A Report by Mr Bonis<sup>2</sup> was for the retention of the rezoning on the basis of the Operative Plan standards that manage the interface between the Taupō Industrial Environment and the Residential Environment. That approach was supported by Mr Moran for TIEL.
4. Minute 18 [5(c)] from the Panel provided directions for the provision of this JWS. Specifically, and as underlined for emphasis, the requirement of the Panel is such:

*We consider that more work is required on the adequacy of the interface between the Industrial Environment and the Residential Environment considering the discussion that occurred during the hearing. The assessment of the adequacy of this interface ideally would examine the existing bulk and location provisions (setbacks, landscaping, height etc.) and other controls (e.g. noise) that manage this interface (and whether changes could be made and/or determine whether additional provisions are necessary – for example height in relation to boundary controls, landscaping strips and ultimately a prescribed buffer. (emphasis added).*

5. This expert caucusing session was held on Monday 31st October and again on 2 November 2023, and then finalised on 3 November, by Teams.
6. The experts who attended the caucusing session were:
  - (a) Mr Gareth Moran on behalf of TIEL;
  - (b) Ms Joanne Lewis on behalf of Advance; and
  - (c) Mr Matt Bonis on behalf of the Taupō District Council.

## BACKGROUND

7. The land proposed to be rezoned at the corner of Napier Road and SH 1 (**Area 7**) lies to the east and north of adjoining land zoned Residential Environment (currently undeveloped). The Planners note that Area 7 has a relatively flat topography of 438 – 448 masl (metres above sea level), whereas the Residential Environment site is more undulating with a topography of 438masl to 460 masl.
8. The rezoning of Napier Road (**Area 7**) did not recommend additional controls to those contained in the Operative District Plan for the Industrial / Residential interface.

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<sup>1</sup> OS67.1

<sup>2</sup> PC43 s42A [167]

9. The Industrial Environment for both the Taupō Industrial Environment and Centennial Industrial Zone is described in the Plan as:

*“The character of the Industrial Environment is established through activities which typically generate high traffic volumes of both heavy and light vehicles; large activity sites often with high site coverage of structures or impervious surfaces; large utilitarian buildings with associated outdoor storage areas; on-site parking; and in some areas, higher levels of noise, odour and dust. The resulting amenity and level of environmental effects has made the Industrial Environment inappropriate for sensitive activities and requires the Environment to be segregated and/or screened by planted buffers, so as to provide protection to the other Environments of the District”<sup>3</sup>.*

10. Mr Bonis and Mr Moran consider that the purpose of the Taupō Industrial Environment is more akin to a Light or General Industrial Zone as expressed in the National Planning Standards<sup>4</sup>, than a Heavy Industrial Zone which is considered to be provided for in the Taupō District Plan architecture through the Centennial Industrial Zone.

*“The area of land in the vicinity of Centennial Drive has been zoned for more heavy industry, which may require a large site area or create effects greater than expected in the other industrial areas, and/or may benefit from access to surplus geothermal energy”<sup>5</sup>.*

11. In terms of the difference between the Taupo Industrial Zone and the Centennial Industrial Zone, Ms Lewis notes that all of the activities allowed in the Centennial Industrial Zone are allowed in the Taupo Industrial Zone (where additional activities are also allowed), and that the performance standards for the two zones are the same except that the Centennial Industrial Zone allows greater building height (16m instead of 12m) and greater vertical ground alteration (3m instead of 2m). She does not agree, therefore, that one is a “heavy” industrial zone and the other is a “light” industrial zone.

12. Mr Bonis and Mr Moran disagrees noting that the Centennial Industrial Environment is relatively isolated and already contains intensive industrial activity. The minimum allotment size of 3000m<sup>2</sup> (Rule 4h.3.5) and infrastructure requirements discourages small scale lighter industry, with Plan provisions also precluding more public facing activities such as trade suppliers.

13. Relevant submissions include:

- (a). Advance submission point OS67.1 seeking rejection of the rezoning of Napier Road on the basis that:

*The land proposed to be zoned for industrial purposes adjoins residentially zoned land. Residential and industrial land uses are considered to be inherently incompatible.*

and

- (b). TIEL further submission point FS232.4 opposing OS67.1 on the basis that:

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<sup>3</sup> District Plan Section 3t Taupo and Centennial Industrial Environments.

<sup>4</sup> National Planning Standards. Chapter 8 Zone Framework Standard.

<sup>5</sup> District Plan Section 3t Taupo and Centennial Industrial Environments.

*TIEL are in opposition to this submission, as the Taupō District Plan contemplates the interface between the Industrial Zone and Residential Zone land uses, by way of specific setbacks and landscaping requirements.*

14. The s42A Report identified reliance on provisions contained in the operative District Plan<sup>6</sup>. This matter and the operative plan provisions relied on, is addressed in the s42A Report in relation to the submission from Cheal seeking improved amenity and recognition of a ‘gateway role’<sup>7</sup>.

## MATTERS AGREED

15. The Planners agree that the relevant Objective and Policies of the Plan (**Attachment A**) relating to Interface Issues are:
- (a) **Enablement provisions** such as that included in Objective 3t.2.1 to provide a range of Industrial areas to accommodate a diversity of appropriate business activities.
  - (b) **Management provisions (at the interface)** specifically Objective 3t.2.6 (and supporting policies) which seek to ensure that the interface between industrial and more sensitive activities are appropriately managed, and Objective 3e.2.5 (and supporting policy i) to ensure that proposals for development assess the particular amenity values of the areas and avoids, remedies or mitigates any adverse effects.
16. The planners agree that the following effects, along with mechanisms to manage such, are generally of relevance at the interface of industrial and residential zones within New Zealand’s District Plans:

**Table 1: Interface Effects and potential controls**

Effect	Potential District Plan Controls
Visual, Shading and Dominance	Height Setback Recession plane requirements Landscaping and/or screening Signage Exterior colour of buildings
Noise	Noise received at more sensitive uses.
Odour	Odour received at more sensitive uses.
Light and Glare	Lux received at the boundary. Direction of lighting.

<sup>6</sup> S42A [159]

<sup>7</sup> S42 [158, 159(d)]

17. The Planner's agree that there are interface provisions in the Operative Plan between the Taupō Industrial Environment and the Residential Environment. These, and the activities provided for are listed in **Table 2**.

**Table 2: Interface Provisions: Taupō Industrial Environment**

Matter	Reference	Provision
Height	4h.1.1	12m
Site coverage	4h.1.2	75%
Setback to Residential interface	4h.1.3(d)	5m setback along boundaries adjoining another Environment.
Landscaping Requirements	4h.1.4(a)	No requirement for boundary with Residential Environment.  [Only imposed along road frontage (1 tree / 7m) or where adjoining ETA (1/10m and 3m planted landscaping strip).]
Noise	4h.1.8(b)	Noise levels as measured within boundary of a Residential Environment shall not exceed (7am – 10pm) 55dBA $L_{eq}$ , and (10pm to 7am) 45dBA $L_{eq}$ and 75dBA $L_{max}$ .
Odour	4h.1.11	There shall be no discharge of offensive or objectionable odour at or beyond the boundary of a site.
Activities	4h.2.6	Residential Activities are deemed discretionary activities.
	4h.2.7	Retail activities are largely precluded with the exception of specific activities including Trade Suppliers, Service Stations, and Food and Beverage outlets (etc).

18. The planners acknowledge that, in relation to the existing adjoining Residential and Taupō / Centennial Industrial Environment interfaces, or that associated with Area 7 rezoning, the Plan has no rules or performance standards associated with:
- a requirement of landscaping as associated with the implementation of Policy 3t.2.6 (iv);
  - an explicit Recession Plane requirement, but includes both a building setback (5m) and building height rule (10m) which provides a 63 degree recession plane. By comparison, the Residential Environment<sup>8</sup> provides for maximum height to boundary

<sup>8</sup> Rule 4a.1.8

requirement of 2.5m at the boundary with a 45 degree recession plane. A comparison of these two provisions, as associated with a compliant Taupō Industrial Environment setback of 5m, is provided below:

Application of Taupō Industrial Environment Height Rule only.	Building Height at 5.0m - Application of Residential Environment Rule 4a.1.8
10m	7.5m

- the control of outdoor lighting, noting that the Residential Environment has a maximum artificial light level of 8 Lux<sup>9</sup> and no controls on glare (direction of lighting).
19. The Planners have considered other Operative Plans in terms of the interface between (Light) Industrial and Residential zones, and have included examples in **Attachment B**.

### MATTERS DISAGREED

20. The matters that remain disputed are whether:
- (a) The operative provisions are sufficient, or should be supplemented by additional controls to manage actual or potential adverse effects at the interface; and regardless
  - (b) Whether the rezoning should proceed at all given a Residential Environment interface.
21. **Ms Lewis** records that her overall view remains that Plan Change 43 in relation to Site 7 does not merit approval. She notes that TDC planning documents (urban growth structure plans and Section 3e of the Plan) do not anticipate an industrial zoning at this location and considers that the Plan provisions, understandably, do not therefore adequately address potential effects on that residential land. She considers that although interface provisions may be added or improved, character and amenity related effects (including visual effects) will remain for those parts of the Residential land closest to Site 7, and for those more elevated parts of the adjoining Residential zoned land where (because of orientation to the sun) future living and outdoor spaces will have an outlook towards Site 7. Ms Lewis considers the level of effects to be inconsistent with the outcomes intended by the policy framework addressed in her evidence, and that rezoning the land for industrial purposes is therefore inappropriate.
22. **Mr Moran** would like it acknowledged that he considers the above comments made by Ms Lewis to be irrelevant and outside the scope and purpose of the Commissioner Minute and the JWS.
23. Notwithstanding that position [21], if Plan Change 43 (Site 7), is approved **Ms Lewis** recommends additional and improved Plan provisions to provide enhanced interface outcomes for future residents of the undeveloped residentially zoned land.
24. **Mr Bonis** considers based his knowledge of the area and topographical contour mapping<sup>10</sup> that reference to the adjoining Residential Environment being ‘elevated’ above the Napier Road site is, at best, an overstatement.

<sup>9</sup> Rule 4a.1.17

<sup>10</sup> <https://taupo.maps.arcgis.com/apps/webappviewer/index.html?id=0248094929a04d01bb0c3144560264f6>

25. The Planners agree that targeted additional specific provisions would assist to supplement the existing controls to better manage the interface between Area 7 as rezoned to Taupō Industrial Environment and the (as undeveloped) adjoining Residential Environment. The Planners have considered the following, but disagree on whether all are appropriate, and on the nature and extent of such provisions:

- (a) Landscaping along the interface.
- (b) An explicit Recession Planes vs existing Height and setback requirements.
- (c) Light and glare.

26. **Ms Lewis** also considers that Noise is a matter that requires additional control as the existing requirement (Performance Standard 4h.1.8(b)) is not sufficient.

27. **Mr Bonis** and **Mr Moran** notes that the Plan already contains a settled and operative regime with regard to the interface between the Taupō Industrial Environment and Residential Environment and that PC43 does not encompass a broad level review of the Taupō Industrial Environment (zoning). However, they acknowledge based on the JWS that the more appropriate approach:

- a. would be to include an explicit additional requirement for a landscaped buffer requirement between the Napier Road Area 7 interface with the Residential Environment; and
- b. could also include additional requirement as to lighting and glare.

Mr Bonis has outlined these provisions in **Attachment C**, and has in the conclusion provided a concise s32AA. Mr Moran has inserted a slightly amended version in **Attachment E**.

28. For the avoidance of doubt, **Mr Bonis** and **Mr Moran** consider that the existing provisions in relation to height and building setback (in addition to the recommendation in this JWS to include a tree planted landscape interface) are otherwise appropriate (in lieu of the further addition of an explicit recession plane requirement) in the context to manage effects associated with bulk, location and shading from Area 7 on an otherwise undeveloped adjoining Residential Environment. For completeness, the respective assessment matters (4h.4.3 and 4h.4.5) are suitably broad to address dominance, bulk, and shading associated with a breach of these provisions.

29. Additional and explicit controls for signage are also considered unnecessary given roading frontage to Napier Road and reliance on Operative Plan Rule 4h.1.10.

30. In terms of the recommendation for an explicit landscape strip and tree planting, representative tree species are referenced to Appendix 7 of the Taupō District Plan (as these relate to requirements for landscaping along road boundaries, and as directed to a specific 3m planted landscape strip and ratio of 1:7m). **Mr Bonis** notes the following:

- a. The tree species listed in Appendix 7 relates to the Taupō ecological district and are already incorporated in the Operative Plan provisions. The tree species included, range from a height at maturity of between 10m and 40m, and a canopy of 3m to

18m as appropriate to provide a high level of screening and softening of built form. He does not consider it necessary to stipulate evergreen species.

- b. The recommended 3m landscape strip has its origins in the Taupō District Plan<sup>11</sup> and accordingly is appropriate in terms of ensuring a balance between efficient layout and use of a site for Industrial activities, and tree health. He also references the Christchurch District Plan<sup>12</sup> which establish a minimum 1.5m wide planting protection dimension at the zone interface, and Waipa District Plan which requires a more conservative 3.0m tree planted setback<sup>13</sup>.
31. **Mr Bonis** considers the inclusion of the landscape requirement and lighting to be effective in terms of achieving **Policy 3t.2.6 (iv)** and consistent with other plan treatments of similar interfaces, and efficient in terms of costs and benefits.
  32. **Mr Bonis** considers the package of rules in **Attachment C** (including landscaping and lighting) to be the more appropriate to manage effects at the interface and to achieve the respective policies and objectives. For completeness, he disagrees with Mr Moran's amendment in **Attachment E** relating to the provision of landscaping, given: reasons of uncertainty, inequity (mitigation could be imposed on the adjoining property owner) and associated vices.
  33. **Mr Moran** is in agreement with Mr Bonis in regards to the requirement of a 3m landscaping/buffer strip, however, given the existence of an overland flow path on the adjoining residential zone, that restricts future development, flexibility on the location of the landscaping strip is necessary. With this in mind, it is not necessary to provide a 3m landscaping/buffer strip when this already occurs on the residential zoned land.
  34. **Mr Moran** does not believe that a Height in Relation to Boundary provision is required, as this will be controlled effectively by the boundary setbacks and maximum height provisions.
  35. **Mr Moran** is satisfied that a lighting provision is appropriate, in order to ensure the adjoining residential and is not adversely affected. **Mr Moran** is not willing to comment on the intricate nature of what a possible District Plan provision would entail; given no evidence has been provided at the hearing; and neither he or the other planners are experts in this field.

For these reasons, Mr Moran confirms he disagrees with proposed lighting provision 'a i' as proposed by Mr Bonis. For clarity the provision reads as follows:

- i. shall not exceed a Maximum Artificial Light level of 8 Lux as received within any adjoining Residential Environment; and

**Mr Moran** confirms he agrees with the second subclause in the lighting provision suggested by Mr Bonis

- ii. shall, as far as practicable, be aimed, adjusted and/or screened to direct lighting away from the windows of habitable spaces within any adjoining Residential Environment.

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<sup>11</sup> Rule 4h.1.4(ii)

<sup>12</sup> Appendix 6.11.6 Landscaping and Tree Planting

<sup>13</sup> Rule 7.4.2.13 / 7.4.2.14



36. **Mr Moran** is not accepting of any additional noise controls over and above what is identified in the district plan.
37. **Ms Lewis** considers these matters below.
- (a) Landscaping
38. **Ms Lewis** agrees with the amended landscape provisions proposed by Mr Bonis except that in her view the width of the landscape strip (at 3m) is too narrow. She considers that the physical elements of mitigation measures should generally be accommodated within the property generating the effects intended to be mitigated (not on the property for which the mitigation is intended to benefit). Although a 3m width may be suitable for planting along road frontages (where the tree canopies would reasonably occupy the road berm) such encroachment into residential land is, in her view, inappropriate. The canopy width of the trees in Schedule 7 range from 3m to 18m (with only one species having a canopy width of 3m). Ms Lewis proposes that a landscape strip width of 5m is more appropriate, and notes that would accommodate the canopy width of 12 out of the 29 tree species in Appendix 7.
39. For completeness, Ms Lewis disagrees with the additional provisions proposed by Mr Moran in Attachment E (i.e. that the requirement for landscape mitigation within the boundary of Site 7 is dependent on vegetation that may be within the Residential zone land). Such exceptions (leaving aside the issue of merit) are best determined through the restricted discretionary resource consent process available through Rule 4h.2.4.
40. **Attachment D** contains the proposed amended performance standard 4h.1.4(a). The text is the same as Mr Bonis proposes in **Attachment C**, except for the width of the planted landscaping strip required.
- (b) Recession Planes
41. **Ms Lewis** notes that recession planes are relied upon in some District Plans to manage the industrial/residential zone interface. In her view a recession plane standard is an appropriate inclusion to address potential effects at the boundary, and particularly given the 75% site coverage and 12m building height allowed by the Plan provisions. Ms Lewis notes (paragraph 18) that the outcome of the setback and height standards will already achieve some protection, however a specific recession plane performance standard consistent with that which applies to the adjoining Residential zone would provide a better outcome. That will also enable specific proposals which do not meet the standard to be assessed as a restricted discretionary activity, in conjunction with new assessment criteria focussed on the effects of recession plane encroachments.
42. **Attachment D** contains amended provisions (specific to Site 7) introducing a recession plane performance standard (4h.1.14) and new Assessment Criteria (4h.4.19).
- (c) Light and Glare
43. **Ms Lewis** notes that in **Attachment C** Mr Bonis proposes a lighting performance standard and associated assessment criteria. She notes that the standard adopts the 8 lux maximum which applies in the adjoining Residential Environment. Ms Lewis agrees with both parts of those

new provisions and the s32AA assessment provided in relation to them, and disagrees with the lighting provisions Mr Moran proposes in Attachment E

44. (d) Noise
45. **Ms Lewis** notes that some District Plans require that noise measured in residential zones (but generated by industrial zone activities) meet the same or similar maximum limit as applies to residential zones. She agrees with that approach.
46. The table below sets out the current Residential and Industrial Environment noise limits (which both apply to the “*noise level arising from any activity measured within the boundary of any residential environment site...*”).

Maximum Noise Limits – Taupo District Plan	
Taupo and Centennial Industrial Environments (4h.1.8b)	Residential Environment (4a.1.18)
7.00am – 10.00pm: 55dBA Leq	7.00am – 7.00pm: 50dBA Leq 7.00pm – 10.00pm: 45dBA Leq
10.00pm – 7.00am: 45dBA Leq and 75dBA Lmax	10.00pm – 7.00am: 40dBA Leq and 70dBA Lmax

47. **Attachment D** contains amendments (specific to Site 7) to the noise performance standard 4h.1.8b to align it with that which applies in the Residential Environment.
48. For lighting, landscaping, recession planes and noise, Ms Lewis considers that the additional and improved performance standards and associated assessment criteria will effectively and better achieve Objective 3t.2.6 (policies i and iv), and Objective 3e.2.5 (policy i).
49. A s32AA assessment is provided in **Attachment D**.

## CONCLUSION

50. **Mr Bonis** considers that based on the request contained in Minute 18, the recommended additional provisions provided in **Attachment C** along the interface with the Residential Environment associated with Napier Road as zoned Taupō Industrial Environment, is the more appropriate. Mr Bonis considers such an approach is the more **effective** (than the notified provisions, and that recommended in the s42A Report) in achieving and implementing Policy 3t.2.6(iii) and (iv) of the Plan.
51. **Mr Bonis** considers the requirement is also **efficient** (in considering costs and benefits) as the approach ensures a reasonable balance between ensuring land use flexibility and development of Industrial land and managing adverse effects on adjoining more sensitive residential uses in the Residential Environment.
52. **Mr Moran** is in agreement with Mr Bonis that a 3-metre landscaping/buffer is required between the industrial and residential environments. However, given the existence of an overland flow path on residential zoned land to the south and southwest, that restricts future development; there should be flexibility as to where the landscaping/buffer is located. As a result, Mr Moran has suggested a revised provision in **Appendix E**. Mr Moran is also of the

opinion that a lighting condition is required and has recommended a revised provision in **Appendix E**. Mr Moran remains satisfied that the remaining District Plan provisions are appropriate to manage any potential interfacing between the proposed industrial environment and residential environments as per the outcomes sought within Minute 18.

53. **Ms Lewis** considers that if Site 7 is zoned Taupo Industrial enhanced interface provisions are necessary to better manage potential adverse interface effects and thereby better achieve the relevant objectives and policies in the Plan. Ms Lewis agrees with the lighting provisions and the amended landscaping provisions (except for landscape strip width) proposed by Mr Bonis. In **Attachment D** Ms Lewis also proposes a new recession plane performance standard and an amended noise performance standard with both of these aligned with the equivalent standards that apply in the adjoining Residential Environment.

Signed by:

Date:



Mr Matt Bonis

3 November, 2023



Mr Gareth Moran

3 November 2023



Ms Joanne Lewis

3 November 2023

## Attachment A – Relevant Provisions of the Plan

### Objective 3e.2.5

Ensure land development does not detract from the amenity value or qualities of the local environment.

#### POLICIES

- i. Ensure that proposals for the subdivision and development of land assess the particular amenity values of the area including the physical characteristics of the land and avoids, remedies or mitigates any adverse effects.
- ii. Subdivision and subsequent development shall either maintain or enhance, but not detract from, the significance of features or areas of cultural, spiritual, historical, landscape or natural value, (as identified through the provisions of this Plan).
- iii. Enable the creation of allotments below any minimum allotment size identified as a controlled activity in this Plan for the exclusive purpose of providing or enhancing public or private access, or to exclusively accommodate a complying network utility activity and infrastructure.

### Objective 3t.2.1

A range of industrial areas which accommodate a diversity of appropriate business activities to meet Taupō townships future growth demands for industrial activity.

#### POLICIES

- i. To provide for a range of industrial activity within the Taupō and Centennial Industrial Environments, where the different scale and intensities of effects can be accommodated and managed, having regard to the nature of environments within and adjoining such areas.

### Objective 3t.2.6

Manage the interface between activities in the Taupō and Centennial Industrial Environments and more sensitive activities in other environments.

#### POLICIES

- i. Manage the effects of activities within the Taupō and Centennial industrial Environments so the scale of development and level of environmental effects does not degrade the amenity of the other Environments of the District.
- ii. Utilise the existing landform to maintain space between industrial activity and other Environments.
- iii. Encourage the development of buffer strips at the time of subdivision to create space between industrial activity and other environments.
- iv. Establish landscaping along interface boundaries to reduce the impact of industrial buildings when viewed from other environments.

## Attachment B – Interface comparison with other Plans

Matter	Taupo Provision	Christchurch (General Industrial) Provisions	Kapiti Coast provisions (2021)	Waipa District Plan
Height	12m	15m where within 20m of a Residential zone	10m	20m (10m if located within 40m of State Highway 1)
Site coverage	75%			n/a
Setback to Residential interface	5m setback along boundaries adjoining another Environment.	3m where sharing the boundary with a Residential zone.	4m	5m adjoining Residential Zone
Recession Planes	NA	No part of any building shall project beyond a building envelope contained by a recession plane measured at any point 2.3 metres above the internal boundary in accordance with the relevant diagram in Appendix 16.8.11.	2.1 and plane inclining inwards at 45 degrees	2.7 and 45 degrees adjoining a residential zone
Landscaping Requirements	Only imposed along road frontage (1 tree / 7m) or where adjoining ETA (1/10m and 3m planted landscaping strip).	Trees to be planted adjacent to shared boundary at 1:10m.	<i>Landscaping shall be provided in side and rear yards where they adjoin a Residential or Centres Zone. Where subject sites exceed 4000m<sup>2</sup> in size, there shall be</i>	3m

	No requirement for boundary with Residential Environment.		<i>provision of at least 3 specimen trees capable of growing to 5 metres in height within 10 years of planting for every 1000m<sup>2</sup> of area landscaped.</i>	
Noise	Noise levels as measured within boundary of a Residential Environment shall not exceed (7am – 10pm) 55dBA $L_{eq}$ , and (10pm to 7am) 45dBA $L_{eq}$ and 75dBA $L_{max}$ .	The noise standards shall apply at any point within a site receiving noise from an activity. Application of Residential zone standards.	Noise when measured within boundary of a Residential Zone site shall not exceed 7am –7pm 50dBA, 7pm to 10pm 45dBA, and 10pm to 7am 40dBA and 70dBA $L_{AFmax}$ .	Within the boundary of any site zoned Residential Monday to Saturday – 7.00am to 10.pm 50dba. (leq) Sunday and Public Holidays - 8.00am to 8.00pm 40dBa (leq) At all other times 70 dbA No single even noise level $L_{max}$ shall exceed night time 10.00pm to 7.00am
Lighting	NA. Noting the Residential Environment has a Lux restriction of 8 lux.	All fixed exterior lighting shall, as far as practicable, be aimed, adjusted and/or screened to direct lighting away from the windows of habitable spaces of sensitive activities.	Must not exceed 10 lux measured 1.5m inside boundary of adjoining residential zone	n/a

		Where light from an activity spills onto another site in a zone with a more restrictive standard, the more restrictive standard shall apply to any light spill received. Residential Zones 4 Lux.		
Odour	There shall be no discharge of offensive or objectionable odour at or beyond the boundary of a site.	NA	No offensive odour, dust or smoke beyond the boundary.	n/a
Activities	Residential Activities are deemed discretionary activities.	Residential Activities are deemed discretionary activities.	Ancillary (eg on-site caretaker) permitted, other non-complying	Residential activities – non complying
	Retail activities are largely precluded with the exception of specific activities including Trade Suppliers, Service Stations, and Food and Beverage outlets (etc).	Retail activities are largely precluded with the exception of specific activities including Trade Suppliers, Service Stations, and Food and Beverage outlets (etc).	Retail activities are largely precluded with the exception of specific activities including Trade Suppliers, Service Stations, and Food and Beverage outlets (etc).	Ancillary retail is provided. Trade supplies, yard based supplies, cafes service stations etc are permitted

## Attachment C – Amendments Recommended by Mr Bonis

The following provisions and Map DX are recommended to be inserted into the Taupō District Plan as associated with PC43 and as reliant on Scope provided in the submission from Advance<sup>1</sup>.

The following is noted:

- (1) *The Operative Plan Assessment Matter for a breach of Rule 4h.1.4(iii) as recommended to be inserted - (Landscaping Matters 4h.4.16) is suitably broad to address scale and appearance from adjoining Residential sites. No additional amendments are necessary for the matters expressed in 4h.4.16.*
- (2) *The reference to Specimen Tree in proposed clause (iii) and Operative clause (v) below is explicit that these are to be Trees from Appendix 7 (and not shrubs).*
- (3) *An 8 Lux level is proposed as based on the Operative Plan rule for Light Spill within the Residential Environment, Rule 4a.1.17. Controls on glare (lighting direction) are considered best practice and expressed in a manner as included in several District Plans.*

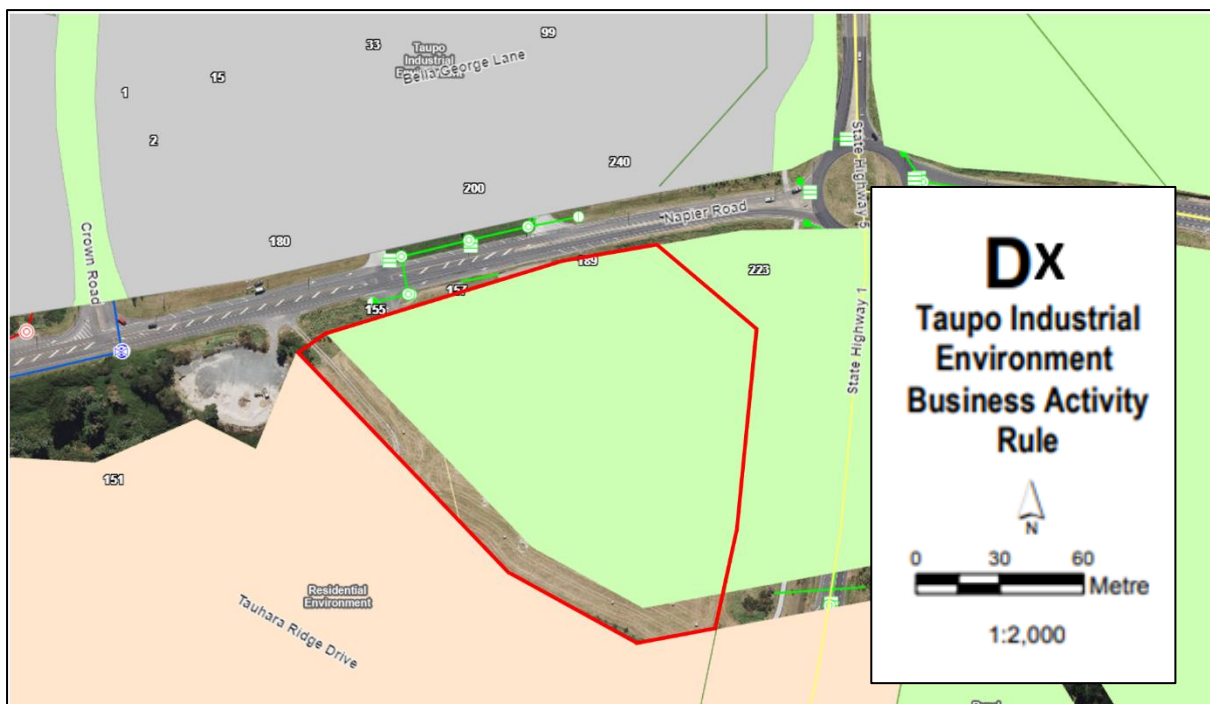


Figure 1: To be inserted as MAP DX (example reference<sup>14</sup> to be 'cleaned up')

14

<https://contentapi.datacomsphere.com.au/v1/h%3Ataupodc/repository/libraries/id:25026fn3317q9slqygym/hierarchy/District-Plan-maps/D-series/D5.pdf>



#### 4h.1.4 Landscaping

- a. Landscaping must be established and maintained on any industrial site according to the following provisions:
  - i. An average of one specimen tree per 7 metres of road boundary (as a minimum), excluding the vehicle access point or points.
  - ii. On any site boundary fronting the East Taupō Arterial Road (to become State Highway 1), a 3 metre wide planted landscaping strip and an average of 1 specimen tree per 10 metres of road boundary, with a minimum of 3 trees per 30 metres.
  - iii. For the Taupō Industrial Environment identified on Planning Map DX on sites adjoining a Residential Environment a 3-metre-wide planted landscaping strip shall be provided and an average of 1 Specimen Tree per 7 metres shall be planted.
  - iv. Specimen trees must be a minimum of 1.8 metres tall at the time of planting.
  - v. Specimen trees must be one of the species listed in [Appendix 7](#) and planted according to the specifications within [Appendix 7](#).

#### 4h.1.13 Light and Glare Taupō Industrial Environment identified on Planning Map DX only

- b. Any exterior lighting:
  - i. shall not exceed a Maximum Artificial Light level of 8 Lux as received within any adjoining Residential Environment; and
  - ii. shall, as far as practicable, be aimed, adjusted and/or screened to direct lighting away from the windows of habitable spaces within any adjoining Residential Environment.

....

#### 4h.4.18

#### ARTIFICIAL LIGHT – TAUPŌ INDUSTRIAL ENVIRONMENT IDENTIFIED ON PLANNING MAP DX ONLY

- a. Extent to which the light source will adversely impact on the amenity of the adjoining Residential Environment.
- b. Necessity for the light for reasons of safety or security.
- c. Duration and operating hours of activity and associated lighting.
- d. Proposed methods for the avoidance, remedying or mitigation of potential adverse effects and the degree to which they would be successful including:
  - i. height, direction, angle and shielding of the light source.

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<sup>i</sup> OS67.1

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## ATTACHMENT D - AMENDMENTS RECOMMENDED BY MS LEWIS

### LANDSCAPING - Amended 4h.1.4 (same as Attachment C, Mr Bonis, except width of landscape strip)

- 4h.1.4 Landscaping
- a. Landscaping must be established and maintained on any industrial site according to the following provisions:
    - i. An average of one specimen tree per 7 metres of road boundary (as a minimum), excluding the vehicle access point or points.
    - ii. On any site boundary fronting the East Taupō Arterial Road (to become State Highway 1), a 3 metre wide planted landscaping strip and an average of 1 specimen tree per 10 metres of road boundary, with a minimum of 3 trees per 30 metres.
    - iii. For the Taupo Industrial Environment identified on Planning Map DX, on sites adjoining a Residential Environment a 5 metre wide planted landscaping strip and an average of 1 Specimen Tree per 7 metres shall be planted.
    - iv. Specimen trees must be a minimum of 1.8 metres tall at the time of planting.
    - v. Specimen trees must be one of the species listed in [Appendix 7](#) and planted according to the specifications within [Appendix 7](#).

### NOISE - Amended 4h.1.8

- 4h.1.8 Maximum Noise
- a. The noise level arising from any activity measured within the boundary of any industrial environment, other than the site where the noise is generated, shall not exceed 75dBA Leq at any time.
  - b. The noise level arising from any activity measured within the boundary of any residential environment site or the notional boundary of any site within the Rural Environment shall not exceed the following limits:
    - i. 7.00am – 10.00pm 55dBA Leq
    - ii. 10.00pm – 7.00am 45dBA Leq and 75dBA Lmax

Exception: For the Taupo Industrial Environment identified on Planning Map DX the noise level arising from any activity measured within the boundary of any residential environment site or the notional boundary of any site within the Rural Environment shall not exceed the following limits:

    - iii. 7.00am – 7.00pm 50dBA Leq
    - iv. 7.00pm – 10.00pm 45dBA Leq
    - v. 10.00pm – 7.00am 40dBA Leq and 70dBA Lmax

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- c. All construction noise shall meet the requirements of New Zealand Standard NZS 6803:1999 Acoustics – Construction Noise.
  - d. Noise from uses at Electricity Generation Core Sites shall comply with the noise limits specified in 4t.1.8.a and b above as measured:
    - i. outside the noise control boundary relating to each Electricity Generation Core Site as shown on the Planning Maps; or
    - ii. within the notional boundary of any dwelling within the Rural Environment where this is beyond the noise control boundary; or
    - iii. within the boundary of any site within the Residential Environment where this is beyond the noise control boundary.
  - e. Any new buildings with habitable spaces (i.e. dwellings, retirement homes, etc) built within the noise control boundaries shall be required to ensure they are appropriately designed to achieve suitable internal noise levels (35dBA Leq).

The noise control boundary will be either the Electricity Generation Core Site boundary or the existing 40dBA Leq and 75dBA Lmax contour where this is beyond the Core Electricity Generation Site boundary, as shown on the planning maps.

- e. Noise from well drilling and testing within any Electricity Generation Core Site boundary as measured:
  - I. within the boundary of any site within the Residential Environment;
  - II. within the notional boundary of any dwelling or accommodation activity within the Rural Environment shall not exceed the noise levels set out in the following table measured and assessed in accordance with the provisions of NZS 6803:1999 – Construction Noise, if the occupiers do not agree to vacate the premises at the noise generator’s expense during the drilling period.

Time Period Monday to Sunday  
Leq Lmax

7.00am – 10.00pm 70 85  
10.00pm – 7.00am 60 75

f. Nothing in the foregoing maximum noise performance standards shall apply to sirens, circuit breakers and hydro spills associated with the operation of Electricity Generation Core Sites. Provided that the activity shall comply with the requirements of S16 of the Resource Management Act 1991.

g. The noise levels shall be measured in accordance with the requirements of NZS6801:2008 Acoustics – Measurement of Environmental Sound and assessed in accordance with the requirements of NZS6802:2008 Assessment of Environmental Sound.

*Exception: for Taupō Industrial site identified on Planning Map D5, 10.00pm – 7.00am 40dBA Leq and 70dBA Lmax.*

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## LIGHTING - New 4h.1.13 (Same as Attachment C – Mr Bonis)

- 4h.1.13 Light and Glare – Taupo Industrial Environment identified on Planning Map DX only
- a. Any exterior lighting:
    - i. shall not exceed a Maximum Artificial Light level of 8 Lux as received within any adjoining Residential Environment; and
    - ii. shall, as far as practicable, be aimed, adjusted and/or screened to direct lighting away from the windows of habitable spaces within any adjoining Residential Environment.

### 4h.4.18

#### ARTIFICIAL LIGHT – NAPIER ROAD ONLY

- a. Extent to which the light source will adversely impact on the amenity of the adjoining Residential Environment.
- b. Necessity for the light for reasons of safety or security.
- c. Duration and operating hours of activity and associated lighting.
- d. Proposed methods for the avoidance, remedying or mitigation of potential adverse effects and the degree to which they would be successful including:
  - i. height, direction, angle and shielding of the light source.

## HEIGHT TO BOUNDARY - New 4h.1.14 and 4h.4.19

- 4h.1.14 Maximum Height to Boundary- Taupo Industrial Environment identified on Planning Map DX only
- 2.5m height at the boundary with a 45° recession plane except for common walls.

### 4h.4.19

#### HEIGHT TO BOUNDARY – NAPIER ROAD ONLY

- a. The extent of additional shading from the projection, including the amount of shadow cast and the period of time the adjacent allotments are affected.
- b. The nature of the activities undertaken on any affected portion of adjoining allotments, noting in particular any adverse effect on outdoor living areas.
- c. The extent to which the projection is necessary due to the shape or nature and physical features of the allotment.
- d. The extent to which the projection leads to a loss of privacy and/or outlook for nearby allotments, by comparison with the effects of a complying activity.
- e. Proposed methods for avoiding, remedying or mitigating any potential adverse effects, and the degree to which they would be successful including:
  - i. the ability to mitigate the adverse effects through the use of screening, planting or alternative design.

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## SECTION 32AA EVALUATION

The s32AA evaluation is required to be in accordance with s32 of the RMA 1991 and contain a level of detail that corresponds to the scale and significance of the anticipated effects of the changes proposed.

S32 of the Act, in summary, requires that the following matters be addressed:

- Considering if any changed objectives are a better way of achieving the purpose of the Act
- Considering if any changed provisions are the most appropriate way of achieving the objectives in terms of:
  - other reasonably practicable options for achieving those objectives.
  - the efficiency and effectiveness of the provisions for achieving the objectives (including considering benefits and costs of the amended provisions, and considering the risk of acting or not acting where there is uncertain or insufficient information about the provisions).

The new and amended Plan provisions set out above do not include changes objectives and accordingly this evaluation is concerned only with the second part of the evaluation requirements – ie are the changes above the most appropriate way of achieving the objectives ?

It is considered that the additional and improved performance standards and associated assessment criteria proposed above will effectively and efficiently achieve Objective 3t.2.6 (policies i and iv), and Objective 3e.2.5 (policy i) and not impose unreasonable costs on the Site 7 land proposed to be rezoned from Rural to Industrial. Considering the “do nothing” option, other provisions put forward in caucusing, and the range of responses in other District Plans considered, the provisions above are concluded to be the most appropriate way of achieving the relevant objectives and policies.

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## Attachment E – Amendments Recommended by Mr Moran

### 4h.1.4 Landscaping

- b. Landscaping must be established and maintained on any industrial site according to the following provisions:
  - i. An average of one specimen tree per 7 metres of road boundary (as a minimum), excluding the vehicle access point or points.
  - ii. On any site boundary fronting the East Taupō Arterial Road (to become State Highway 1), a 3 metre wide planted landscaping strip and an average of 1 specimen tree per 10 metres of road boundary, with a minimum of 3 trees per 30 metres.
  - iii. For the Taupo Industrial Site identified on Planning map DX only, a total 3-metre-wide planted landscaping strip, with an average of 1 Specimen Tree per 7 metres, shall occur between the Taupo Industrial Site and the adjoining Residential Zone. Note, if a 3-metre vegetated area already exists on the adjoining Residential Zone, then no further landscaping is required.
  - iv. Specimen trees must be a minimum of 1.8 metres tall at the time of planting.
  - v. Specimen trees must be one of the species listed in [Appendix 7](#) and planted according to the specifications within [Appendix 7](#).

### 4h.1.13 Light and Glare Taupo Industrial Site identified on planning DX

- b. Any exterior lighting:
  - i. shall, as far as practicable, be aimed, adjusted and/or screened to direct lighting away from the windows of habitable spaces within any adjoining Residential Environment.