

Industrial Activities – Site Management Plan – 297 Te Puna Station Road

Introduction

This is a live Site Management Plan (SMP) applying on an on-going basis to the operation of any industrial activities which establish at 297 Te Puna Station Road. The site is zoned Industrial, and is subject to specific requirements as imposed by the Te Puna Business Park Structure Plan, as detailed within the Western Bay of Plenty District Plan. This Structure Plan seeks to manage effects of industrial activities relative to the rural/semi-rural surrounding land-uses and living environments.

Purpose

The purpose of this SMP is to ensure that all reasonably-identifiable adverse effects of industrial activities operating within the site are mitigated if not avoided as much as practicably possible so as to meet the intent of the Te Puna Business Park Structure Plan in accommodating Industrial activities at the site. This is sought to be achieved by way of:

- Providing certainty as to what activities can occur at the site;
- Providing clarity as to effects mitigation requirements corresponding to the requirements of the Te Puna Business Park Structure Plan;
- Establishing a living document for the active management of Industrial activities at the site as they change over time; and
- Establishing a process for addressing any operation adverse effects, as communicated to the owners of the site or to WBOPDC.

This SMP is to be treated and managed as a live document, being updated periodically to reflect change in activities, tenants and their occupied areas, and personnel listed within the document. Responsibility for doing this lies with the Landlord (property owner).

Revision History

This document is a living document and has been revised as changes occur at the site as follows:

Revision 1 – 13 th April 2023	Submitted with resource consent. Covers known operations upon implementation of resource consents – ContainerCo hire, sales and repair activities, within total area of 4.8ha.
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ContainerCo

ContainerCo is the anchor tenant of the industrial site of 297 Te Puna Station Road. The operation of ContainerCo activities is subject to a specific SMP prepared by WSP consultants dated 24th March 2023. This SMP is distinct from that specific SMP, in that it covers the site at-large and does not negate or alter the provisions of the ContainerCo-specific SMP.

For completeness, the ContainerCo operation meets and will meet on an ongoing basis the below requirements whilst also being subject to its own SMP.

Responsibility

The Landlord has the responsibility of advising all incoming tenants of the obligations to be met by this Site Management Plan. Responsibility for adhering to this Site Management Plan thereafter lies with the persons responsible for the tenant businesses operating within 297 Te Puna Station Road. Specific Landlord responsibilities apply in respect of investigating complaints.

The contact details of the landlord and tenants are as follows (to be updated when altered):

Landlord/Tenant	Contact Person and Information	Area Occupied
Landlord: Te Puna Industrial Limited	C/- Colin Booth c.h.booth@xtra.co.nz ; 027 497 6222	N/A
ContainerCo	Margaret Harris, Manager - ContainerCo margaret.harris@containerco.co.nz ; 021 525 848	4.8ha

Permitted Activities

All incoming industrial activities shall meet the definition of those activities permitted to establish within the Te Puna Business Park. Precise definitions of each term can be found within the District Plan. Drawing upon the Environment Court decision which established the Business Park, and the District Plan provisions as at the time of establishing this SMP, these are as follows:

- Industry (excluding any activity requiring an air discharge consent from the Bay of Plenty Regional Council);
- Storage, warehousing;
- Building and construction wholesalers;
- Retailing accessory and secondary to the above, where the maximum gross floor area of retailing space is 100m²;
- Medical or scientific facilities;
- Veterinary rooms;
- Depots;
- Works and network utilities as provided for in Section 10 of the District Plan
- Offices and buildings accessory to the above activities (maximum permitted gross floor area 100m²).
- Retail outlets for primary produce (maximum retail floor area 100m²);
- Garden centres and plant nurseries, including ancillary cafes provided that the café does not exceed a maximum gross floor area of 100m²;
- Farm vehicle and machinery sales.

For further clarity on permitted activities please consult Rule 21.3 of the District Plan, or successor provisions to this chapter in the future.

If a different activity to those listed above wishes to establish at the site, this will require resource consent from WBOPDC and will require agreement from the Landlord.

Building Requirements

All buildings constructed in conjunction with a permitted activity are permitted to be a maximum footprint of 100m² and constructed to a maximum height of 9m. All buildings to be set back 20m from Te Puna Station Road, 5m from any other road, and 10m from any Rural Zone boundary.

All external surfaces of buildings/structures (excluding glazing) shall comply with the following reflectivity standards:

- Walls – Light Reflectance Value of 35% or less;
- Roofs - Light Reflectance Value of 25% or less.

The above is in addition to any Building Consent requirements.

Noise and Vibration

A Master Noise Management Plan applies pursuant to conditions of resource consent enabling the development of 297 Te Puna Station Road for industrial purposes. Activities with the potential for conspicuous and regularly loud noise would need to be considered in terms of the potential to require altering of this management plan, at the discretion of the Landlord.

To assist in exercising this discretion, an Individual Noise and Vibration Management Plan specific to the operation of an incoming industrial activity shall be submitted to the landlord prior to entering agreement to establish at the site. This plan shall detail all practicable measures to mitigate noise emitted by the activity as much as possible.

Fundamentally all Tenants shall ensure that noise emitted by their activities shall comply with the requirements as set by the District Plan (see **Appendix 1**, and current Rule 4C.1 (or successor rules) for further information as to compliance requirements). A maximum noise limit of 55dB (LA_{eq}) applies to the notional boundary (20m distance) from a Rural Zone dwelling between the hours of 6am and 10pm Monday to Saturday and between 9am and 6pm on Sundays and Public Holidays.

Outside of these hours, a maximum limit of 45dB (LA_{eq}) and 65dB (LA_{max}) applies.

At the boundary of other Industrial-zoned properties, a maximum limit of 65dB (LA_{eq}) and 85dB (LA_{max}) applies.

Noise monitoring to the periphery of the site will be established and logged upon establishment of the anchor tenant ContainerCo given the sensitive nature of noise and the interface to surrounding rural properties.

Landscaping – General

Boundary and inter-lease soft landscaping features are required of the Te Puna Business Park Structure Plan. Where any such landscaping falls within a leased area, it is the responsibility of the Tenant to maintain the landscaping and replace any plants that die. Directions and guidance on maintenance can be found within the Soft Landscaping Establishment and Maintenance Schedule prepared by Momentum Planning and Design which is available from the Landlord. Regular maintenance shall also adhere to Auckland Councils' publication "Wetlands Operation and Maintenance Guide", or successor document.

Landscaping – Swale Network, Wetland and Overland Flowpath

These features within the site make up the stormwater servicing solution of the entirety of 297 Te Puna Station Road. Fees for regular maintenance of these features to ensure their efficient and effective operation will be either included in the rent, or recovered as expended, from Tenants by the Landlord.

Traffic Management

At the time of seeking resource consent, there is the potential for Te Puna Station Road to be closed along the Wairoa River to the current intersection with State Highway 2.

For the avoidance of doubt, all traffic coming to and from all industrial tenants shall access the site from the west i.e. via Te Puna Road and turning right into Te Puna Station Road to then enter the site. This shall be ensured by all tenants, at all times.

The maximum number of vehicles permitted to access 297 Te Puna Station Road each day is 774. Expected vehicle numbers accessing a lessee shall be declared to the Landlord prior to agreement to lease, to ensure this number is not cumulatively exceeded by all tenants across the site.

Wastewater

No reticulated wastewater network is available within the site. Should on-site wastewater disposal be sought by any incoming Tenant, resource consents from Bay of Plenty Regional Council may be necessary. This obligation is required to be met entirely by incoming tenants.

Waste Screening, Odour Management

Any distinctive odours to be produced by the activities of an incoming tenant, and proposed mitigation measures, shall be communicated to the Landlord prior to agreement to lease. Odours will be sought to be restricted to those appropriate and reasonably expected to emanate from permitted activities within the Business Park.

All outdoor waste storage areas shall be enclosed with a screen/visually solid fence to a height of 2m so as to meet the requirements of Rule 4C.5.3.2 (or successor rule) of the District Plan.

Lighting

Lighting structures and intense lighting to enable overnight operations are discouraged given the rural surroundings to the site. Should an incoming Tenant seek to establish with night-time lighting to facilitate overnight operations, this is subject to agreement by the Landlord.

Should an incoming Tenant be given approval to establish lighting structures and operate overnight lighting to facilitate overnight operations, the District Plan standards at **Appendix 2** are required to be met.

For completeness, lighting sufficient for security purposes is expressly anticipated for each lessee. This lighting is however required to meet the District Plan standards at **Appendix 2** of this SMP.

Contaminants/Hazardous Substances/High Risk Facilities

Any use and storage of contaminants or hazardous substances ancillary to any permitted activity to be established at the site shall meet all applicable requirements of the following regulations, at the Tenants sole expense:

- National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health (2011);
- The permitted activity thresholds within Chapter 9 of the WBOPDC District Plan (or successor chapter);
- Hazardous Substances and New Organisms Act 1996 and linked regulations.

Discharge of contaminants into the receiving environment from any activity would likely require resource consent from the Bay of Plenty Regional Council, which is to be obtained solely at the Tenants expense.

All prospective Tenants are advised that the following activities are identified as High Risk Facilities under the WBOPDC District Plan (Rule 21.3.8, and Schedule 21.8), and require resource consent from WBOPDC:

Mechanical workshops, service stations, and automotive dismantlers.	Textile fibre and textile processing industries where dyeing and washing of fabric occurs	Concrete batching plants and, asphalt manufacturing plants.
Printers	Tanneries and leather finishing	Stock sale yards
Spray painting facilities	Footwear manufacture	Bakeries
Meat, fish and shellfish processing industries, food and pet food processing	Manufacture of paper and paper products	Car wash and valet services
Dairy products processing	Manufacture or processing of chemicals, and of petroleum, coal, rubber and plastic products.	Commercial laundries (excluding service laundrettes and laundromats)
Waste Management Sites (transfer stations, compost sites, landfills, recycling operations, etc)	Manufacture of clay, glass, plaster, masonry, asbestos and related mineral products	Furniture/wood manufacturing and refinishing industries
Truck washing facilities	Manufacture of fabricated metal products, machinery and equipment.	Timber preservation, treatment and storage sites where chemically treated timber is stored.
Manufacturing and bulk storage of fertiliser.	Electroplaters, foundries, galvanisers and metal surfacing	Paint stripping or abrasive blasting operations

Complaints Procedure

Should a complaint be received by the Landlord or a Tenant regarding effects of an activity, the following shall occur:

- Details of the nature of the complaint to be provided to and recorded by the Landlord;
- An investigation undertaken by the Landlord with the Tenant alleged to be creating the effects. The investigation shall determine:
 1. If any applicable District Plan or Regional Plan permitted activity standards are being breached; and
 2. Regardless of the answer to point 1 above, if reasonable practicable measures are being implemented by the Tenant to ensure the adverse effect in question is being reasonably practicably mitigated.
 3. If compliance with District Plan or Regional Plan permitted activity standards is being achieved and all reasonably practicable measures are in place to mitigate adverse effects, this will be communicated to the complainant to resolve the complaint process.
 4. Should non-compliance with District Plan or Regional Plan permitted activity standards be found to be occurring, the Tenant shall either implement measures to ensure compliance, or seek resource consent for the non-compliance.
- The outcome of the investigation to be communicated to the complainant.
- A complaints log detailing all of the above to be maintained by the Landlord and made available to Council enforcement officers upon request.

Appendix 1 – District Plan Permitted Noise Limits

Noise limits for activities in Industrial and Commercial Zones

- i. All activities located within Industrial and Commercial Zones shall be so conducted as to ensure that noise from the site shall not exceed the following noise limits within the stated timeframes at any point within the notional boundary of any dwelling in a Rural Zone or Rural-Residential Zone, nor at any point within the boundary of any property within a Residential or Future Urban Zone:

Time Period		Sound Level Not to be Exceeded	
Day	Hours	<i>L_{Aeq}</i>	<i>L_{Amax}</i>
Monday to Saturday	6am to 10pm	55dB	N/A
Sunday and Public Holidays	9am to 6pm	55dB	N/A
At all other times		45dB	70dB

- ii. All activities located within Industrial Zones (excluding emergency service sirens) shall be so conducted as to ensure that noise from the site shall not exceed the following noise limits within the stated timeframes at any point within the boundary of any other property within an Industrial Zone:

Time Period	Sound Level Not to be Exceeded	
	<i>L_{Aeq}</i>	<i>L_{Amax}</i>
Daytime 7am-10pm	65dB	N/A
Night time 10pm-7am	65dB	85dB

Appendix 2 – District Plan Permitted Lighting Limits

4C.3.3 Activity Performance Standards

The following performance standards shall be met by all Permitted and Controlled Activities and shall be used as a guide for all other activities. Any Permitted Activity or Controlled Activity, which does not meet the performance standards, shall be deemed a Restricted Discretionary Activity and will be assessed in accordance with the Restricted Discretionary Assessment Criteria.

4C.3.3.1 Spill Light: Day Time Standards

- a. A person shall not use on any premises between the hours of 7.00am to 10.00pm any artificial lighting in such a manner that the use of such lighting causes an added *illuminance* in excess of *10lux*, measured horizontally or vertically at any point on or directly above the boundary of any land which is zoned Rural, Lifestyle, Rural Residential, Future Urban or Residential.
- b. A person shall not use on any premises between the hours of 7.00am to 10.00pm any artificial lighting in such a manner that the use of such lighting causes an added *illuminance* in excess of *100lux*, measured horizontally or vertically at any point on or directly above the boundary of any land which is zoned Commercial or Industrial.

4C.3.3.2 Spill Light: Night Time Standards

- a. A person shall not use on any premises between the hours of 10.00pm to 7.00am the following day any artificial lighting in such a manner that the use of such lighting causes an added *illuminance* in excess of *5lux*, measured horizontally or vertically at any point on or directly above the boundary of any adjacent land which is zoned Rural, Lifestyle, Rural-Residential or Future Urban.
- b. A person shall not use on any premises between the hours of 10.00pm to 7.00am the following day any artificial lighting in such a manner that the use of such lighting causes an added *illuminance* in excess of *5lux*, measured horizontally or vertically at any point on or directly above the boundary of any adjacent land which is zoned Residential.
- c. A person shall not use on any premises between the hours of 10.00pm to 7.00am any artificial lighting in such a manner that the use of such lighting causes an added *illuminance* in excess of *25lux*, measured horizontally or vertically at any point on or directly above the boundary of any adjacent land which is zoned Commercial or Industrial.
- d. A person shall not use on any premises between the hours of 10.00pm to 7.00am any artificial lighting in such a manner that the use of such lighting causes an added *illuminance* in excess of *35lux* measured horizontally or vertically at any point on or directly above a street kerb line.

Explanatory Note

Added *illuminance* means that added by the use of the artificial lighting in question above the background lighting level in the absence of that artificial lighting. In circumstances where measurements of any added *illuminance* cannot be made due to the fact that the owner will not turn off artificial lighting, measurements may be made in areas of a similar nature which are not affected by the artificial light. The result of these measurements may be used for the purposes of determining the effect of the artificial light.

4C.3.3.3 Glare: Day Time Standards

The exterior lighting on any property in the vicinity of a road or land on which there is a residential use shall be so selected, located, aimed, adjusted and screened as to ensure that the maximum luminous intensity emitted by any one luminaire does not exceed the limits listed in the following table:

Description		
Size of Area	Controlling dimension (Refer Fig 5.1 of AS 4282)	Maximum Intensity *
Large	>75m	7,500 cd
Medium	>25m <75m	7,500 cd
Small	<25m	2,500 cd

*Only Level 1 control luminaries are to be used (refer AS4282 Table 2.2. Note 1)

This table is adapted from Table 2.2 **Australian Standard AS4282 – 1997** (Control of the Obtrusive Effects of Outdoor Lighting). Section 5 of AAS 4284 – 1997 can be used to determine the luminous intensity.

4C.3.3.4 Glare: Night Time Standards

The exterior lighting on any property in the vicinity of a road or land on which there is a residential use shall be so selected, located, aimed, adjusted and screened as to ensure that the maximum luminous intensity emitted by any one luminaire does not exceed the limits listed in the following table:

Conditions	Recommended maximum values		
	In Commercial or Industrial zones or at a boundary of Commercial or Industrial and Residential zones	Urban and Residential zones	Rural, Lifestyle, Rural Residential, Future Urban, All Terrain Park and Post Harvest zones
Limits apply in all directions where views of bright surfaces of <u>luminaires</u> are likely to be troublesome to residents, from positions where such views are likely to be maintained, i.e. not where momentary or short term viewing is involved.	2,500 cd	1,000 cd	500 cd

This table is adapted from Table 2.1 Australian standard AS 4282 – 1997 (Control of the Obtrusive Effects of Outdoor Lighting). Section 5 of AS 4282 – 1997 shall be used to determine the luminous intensity.

4C.3.3.5 Artificial Lighting

The maximum illuminance of any artificial light shall be 150 lux measured at any point on the site in a horizontal or vertical plane at ground level and shall comply with the following criteria;

- a. the light source (lamp) shall be shielded in such a manner that all light emitted by the luminaire is projected below the horizontal plane running through the lowest point of the luminaire from where the light is emitted;

Or

- the light source shall be shielded in such a manner that the highest point of the light emitting surface of the luminaire is lower than the light source (lamp) and the upward wasted light output ratio (UWLOR) does not exceed 4%;

And

- b. The light source shall comply with the latest revision of AS/NZS 1158 where applicable, e.g. car parks and public areas.