

20.2.6.2 Signs – effects on traffic

PI	<p>(a) Any sign directed at users that:</p> <ul style="list-style-type: none"> (i) does not imitate the content, colour or appearance of any traffic control sign (ii) is located at least 60m from controlled intersections, pedestrian crossings and another advertising sign (iii) does not obstruct sight lines of drivers turning into or out of a site entrance and intersections or at a level railway crossing (iv) does not contain more than 40 characters and no more than 6 symbols (v) has lettering that is at least 150mm high (vi) is at least 130m from a site entrance, where the sign directs traffic to that entrance.
RDI	<p>(a) Any sign that does not comply with Rule 20.2.6.2 PI.</p> <p>(b) Council's discretion is restricted to the following matter:</p> <ul style="list-style-type: none"> (i) the extent to which the safety of road users is maintained.

20.2.7 Indigenous vegetation clearance within a Significant Natural Area

P1	<p>(a) Indigenous vegetation clearance within a Significant Natural Area for any of the following purposes:</p> <ul style="list-style-type: none"> (i) clearance of indigenous vegetation that endangers human life or any existing building or structure (ii) conservation fencing to exclude stock or pests (iii) maintenance of existing farm drains (iv) maintenance of existing tracks and fences (v) gathering of plants in accordance with Maaori customs and values.
P2	<p>(a) Removal of up to 5m³ of manuka and/or kanuka per 12 month period per property for domestic firewood purposes or arts and crafts, provided the removal will not directly result in the death, destruction or irreparable damage of any other vegetation.</p>
P3	<p>(a) Indigenous vegetation clearance for building, access, parking and manoeuvring areas within a Significant Natural Area where:</p> <ul style="list-style-type: none"> (i) there is no alternative development area on the site outside the Significant Natural Area (ii) the area of indigenous vegetation clearance does not exceed 250m².
P4	<p>(a) On Maaori Freehold Land or Maaori Customary Land, indigenous vegetation clearance within a Significant Natural Area where:</p> <ul style="list-style-type: none"> (i) there is no alternative development area on the site outside the Significant Natural Area; (ii) the following areas of indigenous vegetation clearance are not exceeded: <ul style="list-style-type: none"> A. 1500m² for a Marae complex, including areas associated with access, parking and manoeuvring B. 500m² per residential unit, including areas associated with access, parking and manoeuvring C. 500m² for a papakaainga building including areas associated with access, parking and manoeuvring.
P5	<p>(a) On Maaori Freehold Land or Maaori Customary Land, indigenous vegetation clearance within a Significant Natural Area for any of the following purposes:</p> <ul style="list-style-type: none"> (i) clearance of indigenous vegetation that endangers human life or any existing building or structure (ii) conservation fencing to exclude stock or pests (iii) maintenance of existing farm drains (iv) maintenance of existing tracks and fences (v) gathering of plants in accordance with Maaori customs and values.

D1	Indigenous vegetation clearance within a Significant Natural Area that does not comply with Rule 20.2.7 P1, P2, P3, P4 or P5.
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20.3 Land Use - Building

- (1) Rule 20.3.1 provides permitted heights for buildings.
- (2) Rule 20.3.2 provides permitted heights for a building in an Outstanding Natural Feature, Outstanding Natural Landscape or Significant Amenity Landscape.
- (3) Rule 20.3.3 Height - Buildings, structures and vegetation within an airport obstacle limitation surface, provides permitted heights for buildings within this area.

20.3.1 Building height

PI	(a) A building that does not exceed a height of: <ol style="list-style-type: none"> (i) 15 metres; or (ii) 18 metres if located on Whangarata and Bollard Road in Tuakau; or (iii) 10 metres if located on Tregoweth Lane and within 50m of the Residential Zone in Huntly.
RDI	(a) A building that does not comply with Rule 20.3.1 P1 (b) Council's discretion is restricted to the following matter: <ol style="list-style-type: none"> (i) the extent to which amenity is maintained

20.3.2 Building height in an Outstanding Natural Feature, Outstanding Natural Landscape or Significant Amenity Landscape

PI	(a) A building that does not exceed a height of: <ol style="list-style-type: none"> (i) 5 metres in an Outstanding Natural Feature or Outstanding Natural Landscape (ii) 7.5 metres in a Significant Amenity Landscape.
RDI	(a) A building that does not comply with Rule 20.3.2 P1 (b) Council's discretion is restricted to the following matter: <ol style="list-style-type: none"> (i) the extent to which the aesthetic value of the identified feature or landscape is maintained.

20.3.3 Height in relation to boundary

PI	(a) A building that does not project beyond a 45 degree height control plane measured from a point 3 metres above natural ground level along the boundary of a site located outside of a General Industrial Zone or Heavy Industrial Zone.
RDI	(a) A building that does not comply with Rule 20.3.3 P1 (b) Council's discretion is restricted to the following matter: <ol style="list-style-type: none"> (i) effect on amenity

20.3.4 Building setbacks

- (1) Rule 20.3.4.1 provides the permitted building setbacks from boundaries.
- (2) Rule 20.3.4.2 provides the permitted building setbacks from water bodies.

20.3.4.1 Building setbacks – All boundaries

PI	(a) A building that is set back at least: (i) 5 metres from a road boundary (ii) 3 metres from any other boundary where the site adjoins another zone, other than the Heavy Industrial Zone.
RDI	(a) A building that does not comply with Rule 20.3.4.1 PI (b) Council's discretion is restricted to the following matters: (i) effect on amenity (ii) effect on streetscape (iii) traffic and road safety

20.3.4.2 Building setback – water bodies

PI	(a) A building that is set back a minimum of 30 metres from: (i) the margin of any: A. lake B. wetland C. river bank, other than the Waikato River and Waipa River.
P2	A building that is set back at least 50 metres from a bank of the Waikato River and Waipa River.
P3	A building that is set back at least 10 metres from the bank of a perennial or intermittent stream.
P4	A pump shed, or a public amenity not exceeding an area of 25m ² , that is located within the building setbacks identified in Rule 20.3.4.2 P1, P2 and P3.
RDI	(a) Any building that does not comply with Rule 20.3.4.2 P1, P2, P3 or P4 (b) Council's discretion is restricted to the following matters: (i) the extent to which the natural character values of the water body are maintained.

20.3.5 Historic Heritage

- (1) The following rules manage heritage items (buildings and monuments):
- (a) Rule 20.3.5.1 – Group A heritage item – demolition, removal or relocation
 - (b) Rule 20.3.5.2 – Group B heritage item – demolition, removal or relocation
 - (c) Rule 20.3.5.3 – All heritage items – alteration or addition
 - (d) Rule 20.3.5.4 – All heritage items – maintenance or repair
 - (e) Rule 20.3.5.5 – All heritage items – all site development

20.3.5.1 Group A heritage item - demolition, removal or relocation

NCI	Demolition, removal or relocation of any Group A heritage item listed in Schedule 30.1 (Heritage Items).
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20.3.5.2 Group B heritage item - demolition, removal or relocation

DI	Demolition, removal or relocation of any Group B heritage item listed in Schedule 30.1 (Heritage Items).
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20.3.5.3 All heritage items – alteration or addition

PI	(a) Any alteration or addition to a heritage item listed in Schedule 30.1 (Heritage Items) where:
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	<ul style="list-style-type: none"> (i) no significant feature of interest is removed, destroyed or damaged (ii) alterations or additions are not visible from a public place.
RD1	<ul style="list-style-type: none"> (a) Any activity that does not comply with Rule 20.3.5.3 PI. (b) Council's discretion is restricted to the following matters: <ul style="list-style-type: none"> (i) form, style, materials and appearance; and (ii) effect on heritage values.

20.3.5.4 All heritage items – maintenance or repair

PI	<ul style="list-style-type: none"> (a) Maintenance or repair of a heritage item listed in Schedule 30.1 (Heritage Items) where: <ul style="list-style-type: none"> (i) no significant feature of interest is destroyed or damaged (ii) replacement materials are the same as, or similar to, the original in terms of form, style and appearance.
RD1	<ul style="list-style-type: none"> (a) Any activity that does not comply with Rule 20.3.5.4 PI. (b) Council's discretion is restricted to the following matters: <ul style="list-style-type: none"> (i) form, style, materials and appearance (ii) effect on heritage values.

20.3.5.5 All heritage items – all site development

PI	<ul style="list-style-type: none"> (i) Development on a site of a heritage item listed in Schedule 30.1 (Heritage Items) that: (ii) is set back at least 10 metres from the heritage item (iii) does not involve locating a building between the front of the heritage item and the road.
RD1	<ul style="list-style-type: none"> (a) Any activity that does not comply with Rule 20.3.5.5 PI. (b) Council's discretion is restricted to the following matters: <ul style="list-style-type: none"> (i) effects on the values, context and setting of the heritage item (ii) location, design, size, materials and finish (iii) landscaping (iv) the relationship of the heritage item with the setting, including the area between the front of the heritage item and the road.

20.4 Subdivision

- (1) Rule 20.4.1 – General, provides for subdivision density within the General Industrial Zone.
- (2) Rule 20.4.1 is also subject to compliance with the following rules:
 - (a) Rule 20.4.2 – Boundaries for Records of Title
 - (b) Rule 20.4.3 – Road Frontage
 - (c) Rule 20.4.4 – Esplanade Reserves and Esplanade Strips
 - (d) Rule 20.4.5 – Subdivision of land containing a heritage item
 - (e) Rule 20.4.6 – Subdivision of land containing a Significant Natural Area

20.4.1 Subdivision - General

RD1	<ul style="list-style-type: none"> (a) Proposed lots in a subdivision must: <ul style="list-style-type: none"> (i) have a minimum net site area of 1000m² (ii) be connected to public-reticulated water supply and wastewater. (b) Council's discretion is restricted to the following matters: <ul style="list-style-type: none"> (i) the extent to which a range of future industrial activities can be accommodated
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	<ul style="list-style-type: none"> (ii) provision of infrastructure (iii) provision of water supply for firefighting where practicable (iv) the extent to which the subdivision design impacts on the operation, maintenance, upgrade and development of existing infrastructure.
DI	Subdivision that does not comply with Rule 20.4.1 RDI

20.4.2 Subdivision – Boundaries for Records of Title

RDI	<ul style="list-style-type: none"> (a) Any boundary of a proposed lot must be located so that: <ul style="list-style-type: none"> (i) any existing building complies with the permitted activity rules relating to setbacks and height in relation to boundary, except to the extent of any non-compliance that existed lawfully prior to the subdivision (ii) no contaminated land, archaeological site, or wetland is divided between any proposed lots. (b) Council's discretion is restricted to the following matters: <ul style="list-style-type: none"> (i) amenity (ii) effects on contaminated land (iii) effects on any wetland (iv) effects on any archaeological site (v) the extent to which a range of future activities can be accommodated.
DI	Subdivision that does not comply with Rule 20.4.2 RDI

20.4.3 Subdivision - Road Frontage

RDI	<ul style="list-style-type: none"> (a) Any proposed lot must have a road frontage of least 15 metres. (b) Rule 20.4.3 (a) does not apply to any proposed rear lot or to a proposed access allotment. (c) Council's discretion is restricted to the following matters: <ul style="list-style-type: none"> (i) traffic effects (ii) amenity and streetscape.
DI	Subdivision that does not comply with Rule 20.4.3 RDI

20.4.4 Subdivision - Esplanade Reserves and Esplanade Strips

RDI	<ul style="list-style-type: none"> (a) A 20 metre wide esplanade reserve or esplanade strip (or other width stated in Appendix 4 Esplanade Priority Areas) must be created and vested in Council where the land being subdivided is within 20 metres of: <ul style="list-style-type: none"> A. mean high water springs B. the bank of any river whose bed has an average width of 3 metres or more C. a lake whose bed has an area of 8ha or more. (b) Council's discretion is restricted to the following matters: <ul style="list-style-type: none"> (i) the type of esplanade provided - reserve or strip (ii) width of the esplanade reserve or esplanade strip (iii) provision of legal access to the esplanade reserve or esplanade strip (iv) matters provided for in an instrument creating an esplanade strip or access strip (v) works required prior to vesting any esplanade reserve in the Council, including pest plant control, boundary fencing and the removal of any structure or debris (vi) layout and design in regard to the effects on the operation, maintenance, upgrading and development of existing infrastructure assets
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	(vii) topography, the location of any existing building, or alternative methods of securing ecological protection, that would justify a reduction in width or not requiring esplanade reserves or esplanade strips to be taken.
DI	Subdivision that does not comply with Rule 20.4.4 RDI.

20.4.5 Subdivision of land containing a heritage item

RDI	<p>(a) Subdivision of a site containing a heritage item listed in Schedule 30.1 (Heritage Items) where the heritage item is wholly contained within one lot.</p> <p>(b) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (i) effects on heritage values (ii) context and setting of the heritage item; and (iii) the extent to which the relationship of the heritage item with its setting is maintained.
DI	Subdivision that does not comply with Rule 20.4.5 RDI.

20.4.6 Subdivision - Significant Natural Areas

RDI	<p>(a) Subdivision of a site that does not involve division of a Significant Natural Area.</p> <p>(b) Council's discretion is restricted to the following matter:</p> <ul style="list-style-type: none"> (i) effects on protection and management of the Significant Natural Area.
DI	Subdivision that does not comply with Rule 20.4.6 RDI.

20.5 Horotiu Industrial Park

20.5.1 Application of rules

- (a) The rules in Chapter 20 for the General Industrial Zone and Development Area 20.5 apply to the Horotiu Industrial Park identified on the planning maps, unless otherwise specified below, except for all land use activity rules listed as [Rules 20.1.1](#), [20.1.2](#) and [20.1.3](#).

20.5.2 Land Use – Activities

20.5.2.1 Permitted Activities

Activities		Activity-specific conditions
P1	Industrial activity	Nil
P2	Ancillary activity	Nil
P3	Trade and industry training activity	Nil
P4	Truck stop for refuelling	Nil
P5	Service station	Nil
P6	An office that is ancillary to a permitted activity	Does not exceed 100m ² or 30% gross floor area of all buildings on the site
P7	A retail activity that is ancillary to a permitted activity	Does not exceed 10% gross floor area of all buildings on the site
P8	Food outlet	Does not exceed 200m ² gross floor area
P9	Construction or demolition of, or alteration or addition to, a building	Nil

20.5.2.2 Restricted Discretionary Activities

RD1	<p>(a) A permitted activity listed in Rule 20.5.2.1 that does not comply with any activity-specific condition.</p> <p>(b) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (i) effects on the supply of industrial land within Horotiu Industrial Park (ii) function of the Horotiu Industrial Park as a regionally significant industrial node.
RD2	<p>(a) A residential unit for a worker, caretaker or security personnel that meets the following condition:</p> <ul style="list-style-type: none"> (i) does not exceed 70m² gross floor area. <p>(b) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (i) reverse sensitivity effects including noise, odour, dust, glare and light spill (ii) the extent to which residential accommodation is necessary to support the on-site industrial activity.

20.5.2.3 Discretionary Activities

D1	Any activity that is not listed in Rule 20.5.2.1 or Rule 20.5.2.2 .
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20.5.2.4 Non-complying Activities

NC1	A noise-sensitive activity, except for a residential unit provided by Rule 20.5.2.2 RD2.
NC2	A sensitive land use, except for a residential unit provided by Rule 20.5.2.2 RD2.

20.5.3 Land Use Effects

20.5.3.1 Noise – General

PI	Noise generated by emergency generators and emergency sirens.
P2	<p>(a) Noise from an activity in the Horotiu Industrial Park that does not exceed:</p> <p>(i) 75dBA (LAeq) at any time measured within any other site at any time.</p> <p>(b) Noise from an activity in the Horotiu Industrial Park that does not exceed the following limits when measured within a Residential Zone:</p> <p>(i) 55dBA (LAeq) 7am to 10pm</p> <p>(ii) 45dBA (LAeq) and 70dBA (LMax) 10pm to 7am the following day.</p> <p>(c) Noise from an activity in the Horotiu Industrial Park that does not exceed the following limits when measured within the notional boundary of any building containing a noise-sensitive activity within any zone outside of the Horotiu Industrial Park and Heavy Industrial Zone (except the Residential Zone):</p> <p>(i) 55dBA (LAeq) 7am to 10pm</p> <p>(ii) 45dBA (LAeq) and 70dBA (LMax) 10pm to 7am the following day.</p> <p>(d) Noise levels that is measured in accordance with the requirements of New Zealand Standard NZS 6801:2008 "Acoustics - Measurement of Environmental Sound".</p> <p>(e) Noise levels that is assessed in accordance with the requirements of New Zealand Standard NZS 6802:2008 "Acoustics- Environmental noise".</p>
RDI	<p>(a) Noise generated by any activity that does not comply with Rule 20.5.3.1 P2.</p> <p>(b) Council's discretion is restricted to the following matters:</p> <p>(i) effects on amenity values</p> <p>(ii) hours of operation</p> <p>(iii) location of noise sources in relation to boundaries</p> <p>(iv) frequency or other special characteristics of noise</p> <p>(v) noise levels and duration</p> <p>(vi) mitigation measures.</p>

20.5.3.2 Landscape planting

PI	<p>(a) Any building or land use activity on a record of title that fronts Horotiu Road that is landscaped along the full frontage of that road, except for access and egress points, to the following minimum standards:</p> <p>(i) a 5 metre depth measured from the road boundary</p> <p>(ii) comprises mixed indigenous vegetation planted a maximum of 1.5 metres apart that achieve a 5 metre height within 5 years.</p>
RDI	<p>(a) Any building or land use activity that does not comply with Rule 20.5.3.2 PI.</p> <p>(b) Council's discretion is restricted to the following matters:</p>

	<ul style="list-style-type: none"> (iii) type, density and scale of indigenous vegetation (iv) the extent to which the amenity of the Residential Zone on Horotiu Road is maintained.
P2	<ul style="list-style-type: none"> (a) Any building or land use activity on a record of title that contains, or adjoins, a river or a permanent or intermittent stream, that is landscaped to the following minimum standards: <ul style="list-style-type: none"> (i) a 4 metre depth measured from the bank, and extending across the full length, of the water body (ii) comprises mixed indigenous vegetation planted a maximum of 1.5 metres apart.
RD2	<ul style="list-style-type: none"> (a) Any building or land use activity that does not comply with Rule 20.5.3.3 P2 (b) Council's discretion is restricted to the following matters: <ul style="list-style-type: none"> (i) type, density and scale of indigenous vegetation (ii) the extent to which the natural character and cultural values of a river or stream are maintained.

20.5.4 Land use – building

20.5.4.1 Building height

PI	(a) A building or structure that is within 50 metres of Horotiu Road and does not exceed a height of 10 metres.
P2	(a) A building or structure that is 50 to 400 metres from Horotiu Road and does not exceed a height of 15 metres.
P3	<ul style="list-style-type: none"> (a) A building or structure that is more than 400 metres from Horotiu Road and does not exceed a height of: <ul style="list-style-type: none"> (i) 25 metres; and (ii) 15 metres over 90% of the site.
RD1	<ul style="list-style-type: none"> (a) A building or structure that does not comply with Rule 20.5.4.1 P1, P2 or P3. (b) Council's discretion is restricted to the following matter: <ul style="list-style-type: none"> (i) the extent to which visual amenity in the Residential Zone is maintained.

20.5.4.2 Building setback from earth bund

PI	Any building on land that contains the Horotiu Industrial Park earth bund, as shown on the planning maps, that is set back 5 metres from the toe of the bund.
RD1	<ul style="list-style-type: none"> (a) Any building that does not comply with Rule 20.5.4.2 P1 (b) Council's discretion is restricted to the following matter: <ul style="list-style-type: none"> (i) effects on the Horotiu Industrial Park earth bund.

20.5.4.3 Aerials, antennae and lighting masts

PI	<ul style="list-style-type: none"> (a) An aerial and support structure that does not exceed a height of: <ul style="list-style-type: none"> (i) 15 metres, or (ii) 10 metres if located within 50 metres of Horotiu Road, or (iii) 5 metres above the building on which the aerial is mounted, where that building exceeds a height of 20 metres.
P2	<ul style="list-style-type: none"> (a) A dish antenna that does not exceed a 5 metre diameter. (b) A panel antenna that does not exceed 2.5 metres in any dimension.

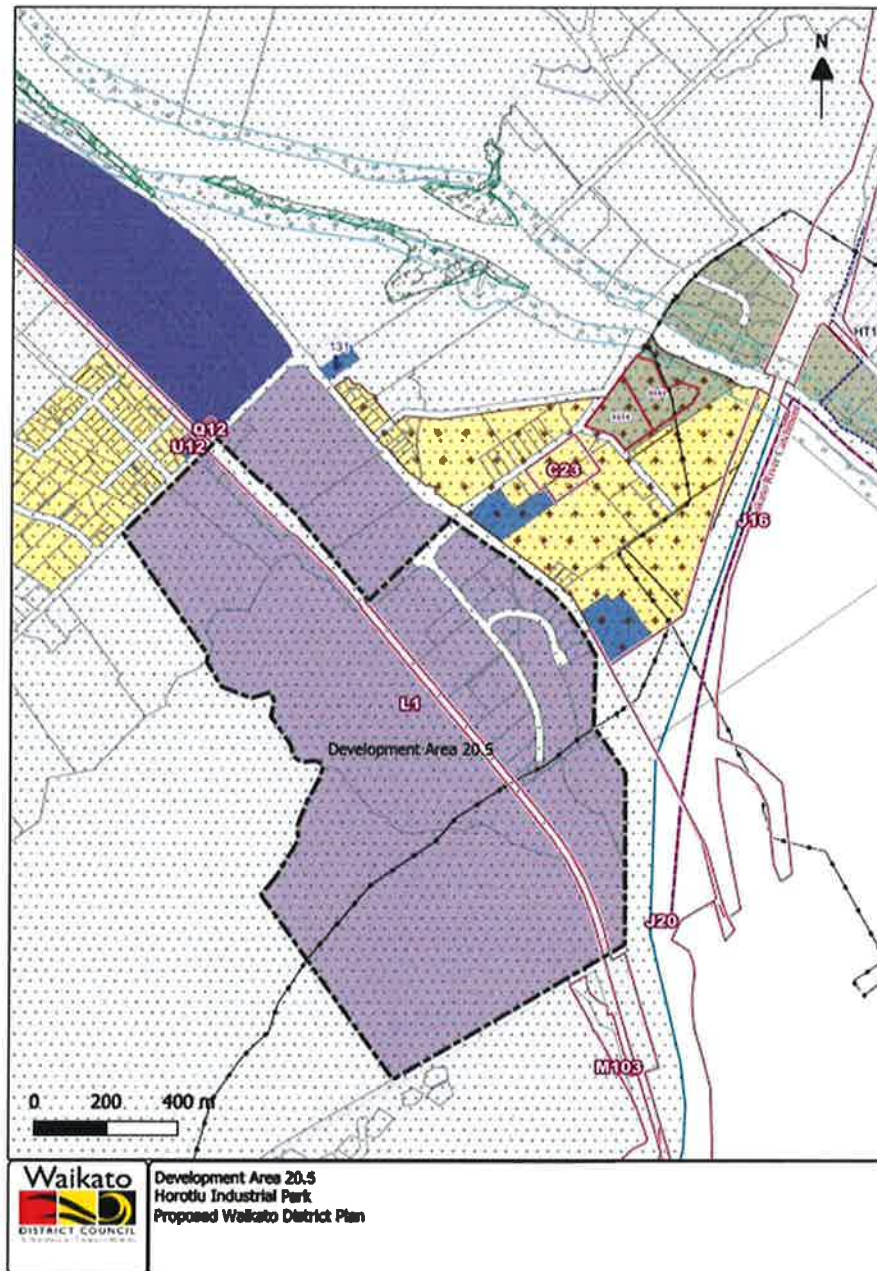
P3	Lighting masts that are located at least 400 metres from Horotiu Road and not exceeding a height of 25 metres.
RDI	<p>(a) Any aerial, antenna or lighting mast that does not comply with Rule 20.5.4.3 P1, P2 or P3</p> <p>(b) Council's discretion is restricted to the following matter:</p> <p>(i) the extent to which visual amenity in the Residential Zone is maintained.</p>

20.5.5 Subdivision - General

RDI	<p>(a) Subdivision must comply with the following conditions:</p> <p>(i) proposed lots (excluding access allotments and utility allotments) must have a minimum net site area of 500m²</p> <p>(ii) proposed network utility allotments must have a minimum net site area of 100m².</p> <p>(b) Council's discretion is restricted to the following matter:</p> <p>(i) the extent to which a range of future industrial activities can be accommodated.</p>
DI	Subdivision that does not comply with Rule 20.5.5 RDI

Consequential amendments to planning maps

- Deletion of Specific Area 20.5 and 'Effective Building Area' annotations for Nau Mai Business Park.
- Annotation of new Development Area 20.5 Horotiu Industrial Park (outlined with dashed black line) as shown below.
- Annotation of footprint/toe of existing earth bund within Horotiu Industrial Park (shape file data to be provided by Northgate).



Revised Chapter 21 for liaison with submitters post Hearing 7

Key to use of colour

Green text – for liaison with submitters post Hearing 7

Chapter 21: Heavy Industrial Zone

Proposed Waikato District Plan



Contents

Chapter 21: Heavy Industrial Zone	3
Zone Description	3
21.1 Land Use – Activities	4
21.1.1 Permitted Activities	4
21.1.2 Restricted Discretionary Activities	4
21.1.3 Discretionary Activities	4
21.1.4 Non-complying Activities	5
21.2 Land Use Effects	5
21.2.1 Landscape planting	5
21.2.2 Noise	6
21.2.2.1 Noise – General	6
21.2.2.1A Noise – Pokeno	6
21.2.2.2 Noise – Huntly Power Station	7
21.2.2.3 Noise – Construction	7
21.2.3 Glare and Artificial Light Spill	7
21.2.4 Earthworks	8
21.2.4.1 Earthworks – General	8
21.2.4.2 Earthworks – within Significant Natural Areas	9
21.2.4.3 Earthworks - Landscape and Natural Character Areas	10
21.2.5 Hazardous substances	10
21.2.6 Signs	11
21.2.6.1 Signs – General	11
21.2.6.2 Signs - effects on traffic	12
21.2.7 Indigenous vegetation clearance within a Significant Natural Area	12
21.3 Land Use – Building	13
21.3.1 Building Height	13
21.3.2 Building, structure or vegetation within battlefield viewshafts	13
21.3.3 Building height in an Outstanding Natural Feature or Significant Amenity Landscape	13
21.3.4 Height in relation to boundary	13
21.3.5 Building setbacks	14
21.3.5.1 Building setbacks – all boundaries	14
21.3.5.2 Building setback – water bodies	14
21.4 Subdivision	14

21.4.1 Subdivision – General.....	15
21.4.2 Subdivision – Boundaries for Records of Title.....	15
21.4.3 Subdivision - Road frontage	15
21.4.4 Subdivision - Esplanade Reserves and Esplanade Strips	15
21.4.5 Subdivision - Significant Natural Areas	16

Chapter 21: Heavy Industrial Zone

Zone Description

The Heavy Industrial Zone contains areas used predominantly for industrial activities that generate potentially significant adverse effects. This zone may also be used for associated activities that are compatible with the potentially significant adverse effects from industrial activities.

Introduction

- (1) The rules that apply to activities in the Heavy Industrial Zone are contained in [Rule 21.1](#) Land Use – Activities, [Rule 21.2](#) Land Use – Effects and [Rule 21.3](#) Land Use – Building.
- (2) The rules that apply to subdivision in the Heavy Industrial Zone are contained in [Rule 21.4](#).
- (3) The activity status tables and standards in the following chapters also apply to activities in the Heavy Industrial Zone:
 - I4 Infrastructure and Energy
 - I5 Natural Hazards and Climate Change
- (4) The following symbols are used in the tables:
 - (a) PR Prohibited activity
 - (b) P Permitted activity
 - (c) C Controlled activity
 - (d) RD Restricted discretionary activity
 - (e) D Discretionary activity
 - (f) NC Non-complying activity

21.1 Land Use – Activities

21.1.1 Permitted Activities

- (a) The following activities are permitted activities if they meet all the following:
- (i) Activity-specific conditions
 - (ii) Land Use – Effects rules in [Rule 21.2](#) (unless the activity rule and/or activity-specific conditions identify a condition(s) that does not apply)
 - (iii) Land Use – Building rules in [Rule 21.3](#) (unless the activity rule and/or activity-specific conditions identify a condition(s) that does not apply).

Activity		Activity-specific conditions
P1	Industrial activity	Nil
P2	Trade and industry training activity	Nil
P3	Truck stop for refuelling	Nil
P4	Office ancillary to an industrial activity	Less than 100m ² , or 30% gross floor area of all buildings on the site
P5	Food outlet	Less than 200m ² gross floor area
P6	Ancillary retail	Does not exceed 10% gross floor area of all buildings on the site
P7	Emergency services training and management activities	Nil
P8	Ancillary activity	Nil
P9	Construction or demolition of, or alteration or addition to, a building	Nil
P10	Electricity generation on the Huntly Power Station site	Nil

21.1.2 Restricted Discretionary Activities

- (1) The activity listed below is a restricted discretionary activity.

Activity		Matters of discretion
RDI	A residential unit on a site for a caretaker or security personnel that meets the following condition: (i) does not exceed 70m ² gross floor area	Council's discretion is restricted to the following matters: (i) reverse sensitivity effects including noise, odour, dust, glare and light spill

21.1.3 Discretionary Activities

- (1) The activities listed below are discretionary activities.

D1	Any permitted activity that does not comply with an activity-specific condition in Rule 21.1.1
D2	Any activity that does not comply with Land Use – Effects Rule 21.2 or Land Use – Building Rule 21.3 unless the activity is specified as a controlled, restricted discretionary or non-complying

	activity.
D3	A waste management facility
D4	Storage, processing or disposal of hazardous waste
D5	An extractive industry
D6	Any activity that is not specifically listed as a permitted, controlled, restricted discretionary or non-complying activity.

21.1.4 Non-complying Activities

(I) The activities listed below are non-complying activities.

NC1	A noise-sensitive activity, except for a residential unit provided by Rule 21.1.2 RD1
NC2	A sensitive land use, except for a residential unit provided by Rule 21.1.2 RD1
NC3	An office not provided by Rule 21.1.1 P4
NC4	A retail activity not provided by Rule 21.1.1 P6

21.2 Land Use Effects

21.2.1 Landscape planting

P1	(a) Any building or land use activity on a record of title that has a side and/or rear boundary adjoining any Residential, Village, Country Living or Reserve Zone that is landscaped to the following minimum standards: (i) a 3 metre depth measured from the side and/or rear boundary (ii) comprises a mixture of indigenous shrubs and trees planted a maximum of 1.5 metres apart
RD1	(a) Any building or land use activity that does not comply with Rule 21.2.1 P1 (b) Council's discretion is restricted to the following matters: (i) type, density and scale of indigenous plantings (ii) the extent to which the amenity of the adjoining Residential, Village, Country Living or Reserve Zone is maintained.
P2	(a) Any building or land use activity on a record of title that contains, or adjoins, a river or a permanent or intermittent stream, that is landscaped to the following minimum standards: (i) a 4 metre depth measured from the bank and extending across the entire length of the water body (ii) comprises mixed indigenous vegetation planted a maximum of 1.5 metres apart.
RD2	(a) Any building or land use activity that does not comply with Rule 21.2.1 P2 (b) Council's discretion is restricted to the following matters: (i) type, density and scale of indigenous plantings (ii) the extent to which the natural character and cultural values of a river or stream are maintained.

21.2.2 Noise

- (1) **Rule 21.2.2.1** Noise – General, provides permitted noise limits in the Heavy Industrial Zone.
- (2) **Rule 21.2.2.1A** Noise – Pokeno, provides permitted noise limits for the Heavy Industrial Zone in Pokeno.
- (3) **Rule 21.2.2.2** Noise – Huntly Power Station, provides permitted noise limits for activities occurring on the Huntly Power Station site.
- (4) **Rule 21.2.2.3** Noise – Construction, provides permitted noise limits for construction activities.

21.2.2.1 Noise – General

PI	Noise generated by emergency generators and emergency sirens.
P2	<ol style="list-style-type: none"> (a) Noise measured within any other site: <ol style="list-style-type: none"> (i) In the Heavy Industrial Zone that does not exceed: <ol style="list-style-type: none"> A. 75dB (LA_{eq}) at any time. (ii) In the General Industrial Zone that does not exceed: <ol style="list-style-type: none"> A. 75dB (LA_{eq}) 7am to 10pm B. 55dB (LA_{eq}) and 85dB (LA_{max}) 10pm to 7am the following day. (b) Noise measured within a site in any zone, other than the Heavy Industrial Zone and General Industrial Zone, that does not exceed the permitted noise levels for that zone. (c) Noise levels that are measured in accordance with the requirements of NZ 6801:2008 "Acoustics Measurements of Environmental Sound" (d) Noise levels that are assessed in accordance with the requirements of NZS 6802:2008 "Acoustics Environmental Noise"
RDI	<ol style="list-style-type: none"> (a) Noise that does not comply with Rule 21.2.2.1 PI or P2 (b) Council's discretion is restricted to the following matters: <ol style="list-style-type: none"> (i) effects on amenity values (ii) hours and days of operation (iii) location of noise sources in relation to any boundary (iv) frequency or other special characteristics of noise (v) mitigation measures (vi) noise levels and duration.

21.2.2.1A Noise – Pokeno

PI	Noise generated by emergency generators and emergency sirens.
P2	<ol style="list-style-type: none"> (a) Noise measured within any other site: <ol style="list-style-type: none"> (i) In the Heavy Industrial Zone in Pokeno that does not exceed: <ol style="list-style-type: none"> A. 70dB (LA_{eq}) at any time (ii) In the General Industrial Zone in Pokeno that does not exceed: <ol style="list-style-type: none"> A. 65dB (LA_{eq}) at any time (b) Noise measured within a site in any zone, other than the Heavy Industrial Zone in Pokeno and the General Industrial Zone in Pokeno, that does not exceed the permitted noise limits for that zone. (c) Noise levels that are measured in accordance with the requirements of NZ 6801:2008 "Acoustics Measurements of Environmental Sound" (d) Noise levels that are assessed in accordance with the requirements of NZS 6802:2008 "Acoustics Environmental Noise"
RDI	<ol style="list-style-type: none"> (a) Noise that does not comply with Rule 21.2.2.1A PI or P2 (b) Council's discretion is restricted to the following matters: <ol style="list-style-type: none"> (i) effects on amenity values

	<ul style="list-style-type: none"> (ii) hours of operation (iii) location of noise sources in relation to any boundary (iv) frequency or other special characteristics of noise (v) mitigation measures (vi) noise levels and duration.
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21.2.2.2 Noise – Huntly Power Station

PI	Noise generated by emergency generators and emergency sirens.
P2	<ul style="list-style-type: none"> (a) Noise measured within the notional boundary of any residential unit that has existed 25 September 2004 in the Rural Zone that does not exceed: <ul style="list-style-type: none"> (i) 55dB (LA_{eq}) 7am to 10pm (ii) 45dB (LA_{eq}) and 75dB (LA_{max}) 10pm to 7am the following day. (b) Noise measured within any site in the Residential Zone, where a residential unit has existed since 25 September 2004, that does not exceed: <ul style="list-style-type: none"> (i) 50dB (LA_{eq}) 7am to 7pm (ii) 45dB (LA_{eq}) 7pm to 10pm (iii) 40 dB (LA_{eq}) and 65 dB (LA_{max}) 10pm to 7am the following day. (c) Noise levels that are measured in accordance with the requirements of NZS 6801:2008 "Acoustics Measurement of Environmental Sound" (d) Noise levels that are assessed in accordance with the requirements of NZS 6802: 2008 "Acoustics Environmental Noise"
RDI	<ul style="list-style-type: none"> (a) Noise that does not comply with Rule 21.2.2.2 PI or P2. (b) Council's discretion is restricted to the following matters: <ul style="list-style-type: none"> (i) effects on amenity values (ii) hours and days of operation (iii) location of noise sources in relation to any boundary (iv) frequency or other special characteristics of noise (v) mitigation measures (vi) noise levels and duration.

21.2.2.3 Noise – Construction

PI	(a) Noise from any construction, maintenance, or demolition activity that is measured, assessed, managed and controlled in accordance with the requirements of NZS 6803:1999 Acoustics – Construction Noise.
RDI	<ul style="list-style-type: none"> (a) Construction noise that does not comply with Rule 21.2.2.3 PI. (b) Council's discretion is restricted to the following matters: <ul style="list-style-type: none"> (i) effects on amenity values (ii) hours and days of construction (iii) noise levels (iv) timing and duration (v) method of construction.

21.2.3 Glare and Artificial Light Spill

PI	Glare and artificial light spill that does not exceed 10 lux measured horizontally and vertically within any other site not located in the Heavy Industrial Zone or General Industrial Zone.
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RDI	<p>(a) Illumination that does not comply with Rule 21.2.3 P1.</p> <p>(b) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (i) effects on amenity values (ii) light spill levels on another site (iii) road safety (iv) duration and frequency (v) location and orientation of the light source (vi) mitigation measures.
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21.2.4 Earthworks

- (1) **Rule 21.2.4.1** Earthworks – General, provides the conditions for permitted earthwork activities in the Heavy Industrial Zone. This rule does not apply to areas specified in Rule 21.2.4 (2).
- (2) There are specific conditions for earthworks within these two rules:
- (a) **Rule 21.2.4.2** Earthworks – Significant Natural Areas
 - (b) **Rule 21.2.4.3** Earthworks – Landscape and Natural Character Areas

21.2.4.1 Earthworks – General

P1	Earthworks within a site , that may or may not involve imported cleanfill material , for the purpose of creating a building platform and/or ancillary hardstand area.
P2	<p>(a) Earthworks (excluding imported fill material) within a site that:</p> <ul style="list-style-type: none"> (i) are located more than 1.5 metres from any water body, open drain or overland flow path (ii) do not exceed a volume of 10,000m³ (iii) do not exceed an area of 10,000m² within a 12 month period (iv) do not exceed a slope in stable ground of 1:2 (1 metre vertical to 2 metre horizontal) (v) result in exposed areas being re-vegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks, or finished with a hardstand surface (vi) result in sediment being retained on the site through implementation and maintenance of erosion and sediment controls (vii) do not result in any change to natural water flows, any water body or established drainage path.
P3	<p>(a) Earthworks involving imported fill material (excluding cleanfill material) for purposes other than creating a building platform within a site, that:</p> <ul style="list-style-type: none"> (i) are located more than 1.5 metres from any water body, open drain or overland flow path (ii) do not exceed a volume of 10,000m³ (iii) do not exceed a slope in stable ground of 1:2 (1 metre vertical to 2 metre horizontal) (iv) result in exposed areas being re-vegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks, or finished with a hardstand surface (v) result in sediment being retained on the site through implementation and maintenance of erosion and sediment controls (vi) do not result in any change to natural water flows, any water body or established drainage path.
RDI	<p>(a) Earthworks that do not comply with Rule 21.2.4.1 P1, P2 or P3</p> <p>(b) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (i) amenity values and landscape effects (ii) volume, extent and depth of earthworks (iii) nature of fill material (iv) contamination of fill material (v) location of the earthworks in relation to any water body, significant indigenous vegetation and habitat (vi) compaction of the fill material (vii) volume and depth of fill material

	<ul style="list-style-type: none"> (viii) protection of the Hauraki Gulf Catchment Area (ix) geotechnical stability (x) flood risk, including natural water flows and established drainage paths (xi) land instability, erosion and sedimentation.
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21.2.4.2 Earthworks – within Significant Natural Areas

PI	<p>(a) Earthworks for the maintenance of existing tracks, fences or drains within an identified Significant Natural Area that:</p> <ul style="list-style-type: none"> (i) do not exceed a volume of 50m³ in a 12 month period (ii) do not exceed an area of 250m² in a 12 month period (iii) do not involve importing any fill material (iv) do not result in any excavation or filling exceeding a depth of 1.5 metres or a slope of 1:2 (1 metre vertical to 2 metre horizontal) (iv) result in sediment being retained on the site through implementation and maintenance of erosion and sediment controls (vii) do not result in any change to natural water flows, any water body or established drainage path.
RDI	<p>(a) Earthworks that do not comply with Rule 21.2.4.2 PI;</p> <p>(b) Council's discretion is restricted to the following matter:</p> <ul style="list-style-type: none"> (i) the extent to which the aesthetic and ecological values of the Significant Natural Area are maintained.

21.2.4.3 Earthworks - Landscape and Natural Character Areas

PI	<p>(a) Earthworks for the maintenance of existing tracks, fences or drains within any area listed below that:</p> <p>(i) do not exceed the following areas and volumes within a 12 month period:</p> <table><tr><th>Landscape or Natural Character Area</th><th>Area (m²)</th><th>Volume (m³)</th></tr><tr><td>Significant Amenity Landscape</td><td rowspan="4">50</td><td rowspan="4">250</td></tr><tr><td>High Natural Character Area or Outstanding Natural Character Area</td></tr><tr><td>Outstanding Natural Feature</td></tr><tr><td>Outstanding Natural Landscape</td></tr></table> <p>(ii) do not result in any cut or batter face in stable ground exceeding a height of 1.5 metres</p> <p>(iii) do not result in any cut or batter face in stable ground exceeding a slope of 1:2 (1 metre vertical to 2 metre horizontal)</p> <p>(iv) result in exposed areas being re-vegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks</p> <p>(v) result in sediment being retained on the site through implementation and maintenance of erosion and sediment controls</p> <p>(vi) do not result in any change to natural water flows, any water body or established drainage path.</p>	Landscape or Natural Character Area	Area (m ²)	Volume (m ³)	Significant Amenity Landscape	50	250	High Natural Character Area or Outstanding Natural Character Area	Outstanding Natural Feature	Outstanding Natural Landscape
Landscape or Natural Character Area	Area (m ²)	Volume (m ³)								
Significant Amenity Landscape	50	250								
High Natural Character Area or Outstanding Natural Character Area										
Outstanding Natural Feature										
Outstanding Natural Landscape										
RDI	<p>(a) Earthworks that do not comply with Rule 21.2.4.3 PI</p> <p>(b) Council's discretion is restricted to the following matter:</p> <p>(i) the extent to which adverse effects on landscape or natural character values are avoided, remedied or mitigated.</p>									

21.2.5 Hazardous substances

PI	<p>(a) The use, storage or disposal of any hazardous substance where:</p> <p>(i) the aggregate quantity of hazardous substance of any hazard classification on a site is less than the quantity specified for the Heavy Industrial Zone in Table 5.1 contained within Appendix 5 (Hazardous Substances).</p>
P2	<p>(a) The storage or use of radioactive materials that is:</p> <p>(i) an approved equipment for medical and diagnostic purposes; or</p> <p>(ii) specified as an exempt activity or article in the Radiation Safety Act and Regulations 2017.</p>
CI	<p>(a) The storage of fuel for retail sale at a service station where the following volumes are not exceeded:</p> <p>(i) 100,000 litres of petrol in underground storage tanks</p> <p>(ii) 50,000 litres of diesel in underground storage tanks</p> <p>(iii) 6 tonnes of LPG (single vessel storage).</p> <p>(b) Council reserves its control over the following matters:</p> <p>(i) The proposed site design and layout in relation to:</p> <p>A. the sensitivity of the surrounding natural, human and physical environment</p> <p>B. potential hazards and exposure pathways arising from the proposed facility, including cumulative risks with other facilities</p> <p>C. interaction with natural hazards (flooding, instability), as applicable</p>

	D. proposed emergency management planning (spills, fire and other relevant hazards) (ii) Procedures for the monitoring and reporting of incidents.
D1	The use, storage or disposal of any hazardous substance that does not comply with Rules 21.2.5 P1, P2 or C1.

21.2.6 Signs

- (1) Rule 21.2.6.1 Signs – General, states conditions for any permitted sign, including a real estate sign, within the Heavy Industrial Zone.
- (2) Rule 20.2.6.2 Signs – Effects on traffic, states conditions for a sign directed at road users.

21.2.6.1 Signs – General

P1	A public information sign erected by a government agency.
P2	<p>(a) A sign that:</p> <ul style="list-style-type: none"> (i) does not exceed a sign height of 15 metres (ii) is contained wholly within the site (iii) relates to goods or services available on the site or a property name (iv) is set back at least 15 metres from a state highway or Waikato Expressway (v) if illuminated: <ul style="list-style-type: none"> A. does not have a light source that flashes or moves B. does not contain moving parts or reflective materials <p>(b) A sign attached to a building that:</p> <ul style="list-style-type: none"> A. does not extend more than 300mm from the building wall B. does not exceed the height of the building <p>(c) Freestanding signs that:</p> <ul style="list-style-type: none"> A. do not exceed an area of 3m² for one sign per site, and 1m² for one additional freestanding sign on the site B. are set back at least 5 metres from the boundary of any site in any Residential or Reserve Zone C. are set back at least 15 metres from the boundary of a state highway or Waikato Expressway <p>(d) A sign attached to a heritage item listed in Schedule 30.1 (Heritage Items) expressly for the purpose of identification and interpretation</p>
P3	<p>(a) A real estate sign that:</p> <ul style="list-style-type: none"> (i) relates to the sale of the site on which it is located (ii) does not result in more than 3 signs per site (iii) is not illuminated; (iv) does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials, (v) does not exceed dimensions of 1800mm x 1200mm
RDI	<p>(a) A sign that does not comply with Rule 21.2.6.1 P2 or P3.</p> <p>(b) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (i) amenity; (ii) effects on traffic safety; (iii) glare and artificial light spill; (iv) content, colour and location of the sign. (v) effects on the heritage values of any heritage item due to the size, location, design and appearance of the sign;

21.2.6.2 Signs - effects on traffic

PI	<p>(a) Any sign directed at road users that:</p> <ul style="list-style-type: none"> (i) does not imitate the content, colour or appearance of any traffic control sign (ii) is located at least 60m from controlled intersections, pedestrian crossings and another advertising sign (iii) does not obstruct sight lines of drivers turning into or out of a site entrance and intersections or at a level railway crossing (iv) does not contain more than 40 characters and no more than 6 symbols (v) has lettering that is at least 150mm high. (vi) is at least 130m from a site entrance, where the sign directs traffic to that entrance.
RDI	<p>(a) Any sign that does not comply with Rule 21.2.6.2 PI;</p> <p>(b) Council's discretion is restricted to the following matter:</p> <ul style="list-style-type: none"> (i) the extent to which the safety of road users is maintained

21.2.7 Indigenous vegetation clearance within a Significant Natural Area

P1	<p>(a) Indigenous vegetation clearance in a Significant Natural Area for any of the following purposes:</p> <ul style="list-style-type: none"> (i) clearance of indigenous vegetation that endangers human life or any existing building or structure (ii) conservation fencing to exclude stock or pests (iii) maintenance of existing farm drains (iv) maintenance of existing tracks and fences (v) gathering of plants in accordance with Maaori customs and values.
P2	<p>(a) Removal of up to 5m³ of manuka and/or kanuka per 12 month period per property for domestic firewood purposes and arts or crafts provided the removal will not directly result in the death, destruction or irreparable damage of any other vegetation.</p>
P3	<p>(a) Indigenous vegetation clearance for building, access, parking and manoeuvring areas in a Significant Natural Area where:</p> <ul style="list-style-type: none"> (i) there is no alternative development area on the site outside the Significant Natural Area; and (ii) the area of indigenous vegetation clearance does not exceed 250m².
P4	<p>(a) On Maaori Freehold Land or Maaori Customary Land, indigenous vegetation clearance in a Significant Natural Area where:</p> <ul style="list-style-type: none"> (i) there is no alternative development area on the site outside the Significant Natural Area (ii) the following areas of indigenous vegetation clearance are not exceeded: <ul style="list-style-type: none"> A. 1500m² for a Marae complex, including areas associated with access, parking and manoeuvring; and B. 500m² per residential unit, including areas associated with access, parking and manoeuvring; and C. 500m² for a papakainga building including areas associated with access, parking and manoeuvring.
P5	<p>(a) On Maaori Freehold Land or Maaori Customary Land, indigenous vegetation clearance within a Significant Natural Area for any of the following purposes:</p> <ul style="list-style-type: none"> (i) Clearance of indigenous vegetation that endangers human life or an existing building or structure (ii) conservation fencing to exclude stock or pests; (iii) maintaining existing farm drains; (iv) maintaining existing tracks and fences; (v) gathering of plants in accordance with Maaori customs and values.

D1	Indigenous vegetation clearance within a Significant Natural Area that does not comply with Rule 21.2.7 P1, P2, P3, P4 or P5.
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21.3 Land Use – Building

21.3.1 Building Height

PI	(a) A building that does not exceed a height of: (i) 35 metres for 2% of the net site area; and (ii) 20 metres over the balance of the net site area.
RD1	(a) A building that does not comply with Rule 21.3.1 P1 (b) Council's discretion is restricted to the following matter: (i) effects on amenity.

21.3.2 Building, structure or vegetation within battlefield viewshafts

PI	(a) A building, structure or vegetation within a battlefield viewshaft identified on the planning maps that does not obscure views of: (i) the Waikato River; or (ii) the Whangamarino Redoubt from Meremere Paa/Redoubt.
RD1	(a) A building or structure that does not comply with Rule 21.3.2 P1 (b) Council's discretion is restricted to the following matter: (i) the extent to which views within the battlefield viewshaft are maintained.

21.3.3 Building height in an Outstanding Natural Feature or Significant Amenity Landscape

PI	A building that does not exceed a height of 5 metres in an Outstanding Natural Feature.
P2	A building that does not exceed a height of 7.5 metres in a Significant Amenity Landscape.
RD1	(a) A building that does not comply with Rule 21.3.3 P1 or P2. (b) Council's discretion is restricted to: (i) the extent to which the amenity values of the identified feature or landscape are maintained.

21.3.4 Height in relation to boundary

PI	(a) A building that does not project beyond a 45 degree height control plane measured from a point 3 metres above natural ground level along the boundary of a site located outside of a Heavy Industrial Zone or General Industrial Zone.
RD1	(a) A building that does not comply with Rule 21.3.4 P1 (b) Council's discretion is restricted to the following matter: (i) effect on amenity

21.3.5 Building setbacks

- (1) **Rule 21.3.5.1** provides the permitted building setbacks from all boundaries.
- (2) **Rule 21.3.5.2** provides the permitted building setbacks from water bodies.

21.3.5.1 Building setbacks – all boundaries

PI	<p>(a) A building that is set back at least:</p> <ol style="list-style-type: none"> (i) 5 metres from a road boundary (ii) 3 metres from any other boundary where the site adjoins another zone, other than the General Industrial Zone.
RDI	<p>(a) A building that does not comply with Rule 21.3.5.1 PI</p> <p>(b) Council's discretion is restricted to the following matters:</p> <ol style="list-style-type: none"> (i) effects on amenity values (ii) effects on streetscape (iii) traffic and road safety.

21.3.5.2 Building setback – water bodies

PI	<p>(a) Any building that is set back a minimum of 30 metres from:</p> <ol style="list-style-type: none"> (i) the margin of any: <ol style="list-style-type: none"> A. lake B. wetland C. river bank, other than the Waikato River and Waipa River.
P2	Any building that is set back at least 50 metres from the bank of the Waikato River and Waipa River.
P3	Any building that is set back at least 10 metres from the bank of a perennial or intermittent stream.
P4	A pump shed, or a public amenity not exceeding an area of 25m ² , that is located within the building setbacks identified in Rule 21.3.5.2 PI, P2 or P3 .
RDI	<p>(a) Any building that does not comply with Rules 21.3.5.2 PI, P2, P3 or P4.</p> <p>(b) Council's discretion is restricted to the following matters:</p> <ol style="list-style-type: none"> (ii) the extent to which the natural character values of the water body are maintained.

21.4 Subdivision

- (1) **Rules 21.4.1** Subdivision - General provides for subdivision density within the Heavy Industrial Zone
- (2) Rule 21.4.1 is also subject to compliance with the following rules:
 - (a) **Rule 21.4.2** Subdivision – Boundaries for Records of Title
 - (b) **Rule 21.4.3** Subdivision – Road Frontage
 - (c) **Rule 21.4.4 Subdivision** – Esplanade Reserves and Esplanade Strips
 - (d) **Rule 21.4.5 Subdivision** – Significant Natural Areas

21.4.1 Subdivision – General

RDI	<p>(a) Proposed lots in a subdivision must:</p> <ul style="list-style-type: none"> (i) have a minimum net site area of 1000m²; (ii) have an average net site area of at least 2000m² and (iii) be connected to public-reticulated water supply and wastewater. <p>(b) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (i) the extent to which a range of future activities can be accommodated (ii) provision of infrastructure (iii) provision of water supply for firefighting where practicable (iv) the extent to which the subdivision design impacts on the operation, maintenance, upgrade and development of existing infrastructure.
DI	Subdivision that does not comply with Rule 21.4.1 RDI.

21.4.2 Subdivision – Boundaries for Records of Title

RDI	<p>(a) Any boundary of a proposed lot must be located so that:</p> <ul style="list-style-type: none"> (i) Any existing building complies with the permitted activity rules relating to setbacks and height in relation to boundary, except to the extent of any non-compliance that existed lawfully prior to the subdivision; and (ii) no contaminated land, archaeological site, or wetland is divided between any proposed lots. <p>(b) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (i) amenity (ii) effects on contaminated land (iii) effects on any wetland (iv) effects on any archaeological site (v) the extent to which a range of future activities can be accommodated.
DI	Subdivision that does not comply with any condition in Rule 21.4.2 RDI.

21.4.3 Subdivision - Road frontage

RDI	<p>(a) Any proposed lot must have a road frontage of least 15 metres.</p> <p>(b) Rule RDI(a) does not apply to a proposed rear lot or to a proposed access allotment.</p> <p>(c) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (i) traffic effects (ii) amenity and streetscape.
DI	Subdivision that does not comply with Rule 21.4.3 RDI.

21.4.4 Subdivision - Esplanade Reserves and Esplanade Strips

RDI	<p>(a) A 20 metre wide esplanade reserve or esplanade strip (or other width stated in Appendix 4 Esplanade Priority Areas) must be created and vested in Council where the land being subdivided is within 20 metres of:</p> <ul style="list-style-type: none"> A. mean high water springs; B. the bank of any river whose bed has an average width of 3 metres or more C. a lake whose bed has an area of 8ha or more. <p>(b) Council's discretion is restricted to the following matters:</p>
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	<ul style="list-style-type: none"> (i) the type of esplanade provided - reserve or strip (ii) width of the esplanade reserve or esplanade strip (iii) provision of legal access to the esplanade reserve or esplanade strip (iv) matters provided for in an instrument creating an esplanade strip or access strip (v) works required prior to vesting any esplanade reserve in the Council, including pest plant control, boundary fencing and the removal of any structure or debris (vi) layout and design in regard to the effects on the operation, maintenance, upgrading and development of existing infrastructure assets (vii) topography, the location of existing building, or alternative methods of securing ecological protection, that would justify a reduction in width or not requiring esplanade reserves or esplanade strips to be taken.
DI	Subdivision that does not comply with Rule 21.4.4 RDI.

21.4.5 Subdivision - Significant Natural Areas

RD1	<ul style="list-style-type: none"> (a) Subdivision of a site containing a Significant Natural Area, must not divide the Significant Natural Area. (b) Council's discretion is restricted to the following matter: <ul style="list-style-type: none"> (i) effects on protection and management of the Significant Natural Area
DI	Subdivision that does not comply with Rule 21.4.5 RDI.