

Attachment 3

Recommended amendments to Chapter 20 in response to submissions and
evidence 13 January 2020

Chapter 20: Industrial Zone

Proposed Waikato District

Plan Stage I

(Notified version)



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Key to use of colour

Black text – retained as notified

Red ~~struckthrough~~ or underlined – Recommended amendments from s42A report

Blue ~~struckthrough~~ or underlined – Recommended amendments from s42A officer rebuttal evidence

Chapter 20: Industrial Zone – Rules [697.605]

- (1) The rules that apply to activities in the Industrial Zone are contained in **Rule 20.1** Land Use – Activities, **Rule 20.2** Land Use – Effects and **Rule 20.3** Land Use – Building.
- (2) The rules that apply to subdivision in the Industrial Zone are contained in **Rule 20.4**.
- (3) The activity status tables and standards in the following chapters also apply to activities in the Industrial Zone:
 - 14 Infrastructure and Energy;
 - 15 Natural Hazards and Climate Change (Placeholder).
- (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
- (5) The Industrial Zone contains a Specific Area that is Nau Mai Business Park. **Rule 20.5** manages all land use, building and subdivision in this location. **Rule 20.5.1** sets out how to apply rules to Nau Mai Business Park that are either different from, or are in addition to, other rules that apply to the rest of the Industrial Zone.

20.1 Land Use – Activities

20.1.1 Permitted Activities [697.607, 302.4, 302.50, 633.51, 766.11, 465.1, 302.5]

(a) The following activities are permitted activities if they meet all the following:

(a) Activity specific conditions:

(b) Land Use – Effects rules in **Rule 20.2** (unless the activity rule and/or activity-specific conditions identify a condition(s) that does not apply);

(c) Land Use – Building rules in **Rule 20.3** (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	(a) Less than 100m ² gfa gross floor area; or [697.609] (b) Does not exceed 30% of all buildings on the site.
P5	Food outlet	(a) Less than 200m ² gfa-[697.610]
P6	Ancillary retail	Does not exceed 10% gross floor area of all buildings on the site. [697.611]
P7	Hire centres	Nil
P8	Wholesale	Nil
P9	Trade supply outlet	Nil
P10	Transport depot	Nil

P11	Garden centres	Nil
P12	Retailing of agricultural and industrial motor vehicles and machinery	Nil
P13	Emergency services training and management activities	Nil [378.102 and FS1035.209]
P14	Ancillary activity	Nil
P15	Construction or demolition of, or alteration or addition to, a building	Nil
P16	Community corrections activity	Nil

20.1.1A Restricted Discretionary Activities [578.74, 697.612]

The activities listed below are restricted discretionary activities.

Activity		Matters of discretion
RD1	Residential unit for caretaker or security personnel that meets the following condition: (i) Does not exceed 70m² gross floor area	Council's discretion is restricted to the following matters: (i) reverse sensitivity effects including noise, odour, dust, glare and light spill
RD2	Service stations	Council's discretion is restricted to the following matters: (i) reverse sensitivity effects including noise, odour, glare and light spill (ii) effects on the supply of industrial land [785.40]

20.1.2 Discretionary Activities

(a) The activities listed below are discretionary activities.

D1	Any permitted activity that does not comply with an activity specific condition in Rule 20.1.1 .
D2	Any activity that does not comply with Land Use - Effects Rule 20.2 or Land Use - Building Rule 20.3 unless the activity status is specified as controlled, restricted, discretionary or non-complying.
D3	A waste management facility
D4	Hazardous waste storage , processing or disposal
D5	An extractive industry
D6	An office
D7	A retail activity

20.1.3 Non-Complying Activities [697.536]

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

NCI	Any activity that is not listed as a permitted, restricted discretionary , or discretionary activity.
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20.2 Land Use - Effects

20.2.1 Servicing and hours of operation [302.7, 543.4, 633.54, 766.14]

PI	<p>Servicing and operation of an industrial activity adjoining any Residential, Village or Country Living Zone may load or unload vehicles or receive customers or deliveries between 7.30am and 6.30pm.</p>
RD+	<p>(a) Servicing and operation of an industrial activity that does not comply with Rule 20.2.1 PI.</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) distance to the nearest residential activity; (iii) nature and frequency of the after hours activity; (iv) noise, lighting and glare; and (v) type of vehicles involved.

20.2.2 Landscape planting

CI	<p>(a) Any activity on a lot that has a side and/or rear boundary adjoining any Residential, Village, Country Living or Reserve Zone shall provide a 3m wide landscaped strip running parallel with the side and/or rear boundary; and</p> <p>(b) Any activity on a lot that contains, or is adjacent to, a river or a permanent or intermittent stream shall provide an 8.4m wide landscaped strip measured from the top edge of the closest bank and extending across the entire length of the watercourse.</p> <p>(c) Council's control is reserved over the following matters:</p> <ul style="list-style-type: none"> (i) the adequacy of the width of landscaping strip; (ii) type, density and height of plantings conducive to the location; (iii) maintenance measures; (iv) amenity values; and (v) natural character and cultural values of a river or stream.
RD I	<p>(a) Any activity that does not comply with Rule 20.2.2 CI.</p> <p>(b) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (i) adequacy of the width of landscaped strip; (ii) type, density and height of plantings conducive to the location; (iii) maintenance measures; (iv) amenity values; and (v) natural character and cultural values of a river or stream.

20.2.3 Noise

- (1) Rule 20.2.3.1 Noise – General provides permitted noise levels in the Industrial Zone.
- (2) Rule 20.2.3.2 Noise – Construction provides the noise limits for construction activities.

20.2.3.1 Noise – General [697.617, 697.618]

PI	Noise generated by emergency generators and emergency sirens.
P2	<p>(a) Noise measured within any other site:</p> <ul style="list-style-type: none"> (i) In an Industrial Zone must not exceed: <ul style="list-style-type: none"> A. 75dB (L_{Aeq}) 7am to 10pm; and B. 55dB (L_{Aeq}) and 85dB (L_{Amax}) 10pm to 7am the following day. <p>(b) Noise measured within any site in any zone, other than the Industrial Zone and Heavy Industrial Zone, must not exceed the permitted noise levels for that zone.</p>

	(c) <u>Noise levels must be measured in accordance with the requirements of NZS 6801:2008 "Acoustics Measurements of Environmental Sound"</u> (d) <u>Noise levels must be assessed in accordance with the requirements of NZS 6802:2008 "Acoustics Environmental Noise"</u>
P3	(a) Noise measured within any site in any zone other, than the Industrial Zone and the Heavy Industrial Zone, must meet the permitted noise levels for that zone.
P4	(a) Noise levels must be measured in accordance with the requirements of NZS 6801:2008 "Acoustics Measurement of Environmental Sound". (b) Noise levels must be assessed in accordance with the requirements of NZS 6802:2008 "Acoustics Environmental noise".
D2	Noise that does not comply with <u>Rule 20.2.3.1 P2, P3 or P4</u> <u>PI or P2</u>

20.2.3.2 Noise – Construction [697.619]

PI	(a) Construction noise must meet not exceed limits in [redacted]; (b) Construction noise must be measured and assessed in accordance with the requirements of [redacted] <u>Noise from any construction, maintenance, and demolition activity must be measured, assessed, managed and controlled in accordance with the requirements of NZS 6803:1999 Acoustics Construction Noise</u>
RD1	(a) <u>Construction noise</u> that does not comply with <u>Rule 20.2.3.2 PI</u> . (b) Council's discretion is restricted to the following matters: (i) effects on amenity values; (ii) hours and days of construction; (iii) noise levels; (iv) timing and duration; and (v) methods of construction.

20.2.4 Glare and Artificial Light Spill [697.620, 578.63]

PI	Glare and artificial light spill must not exceed 10 lux measured horizontally and vertically within any other site <u>not located in the Industrial Zone or Heavy Industrial Zone</u> .
RD1	(a) Illumination that does not comply with <u>Rule 20.2.4 PI</u> . (b) Council's discretion is restricted to the following matters: (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; and (vi) mitigation measures.

20.2.5 Earthworks [697.621]

- (1) Rule 20.2.5.1 Earthworks - General provides the permitted rules for earthwork activities in the Industrial Zone. This rule does not apply to areas specified in Rule 20.2.5(2).
- (2) There are specific standards for earthworks within rules:
 - (a) Rule 20.2.5.2 Earthworks – Within Significant Natural Areas

(b) Rule 20.2.5.3 Earthworks – Within Landscape and Natural Character Areas

20.2.5.1 Earthworks – General [697.622, FS1326.5, FS1193.5, 697.623, 697.624, 465.13, 465.42, 785.17, 785.19, 790.5, 790.6, 587.64]

PI a	<u>Earthworks within a site, that may or may not involve the importation of clean fill material, for the purpose of creating a building platform and/or ancillary hardstand area.</u>
P1-P2	<p>(a) Earthworks (excluding the importation of fill material) within a site must meet all of the following conditions:</p> <ul style="list-style-type: none"> (i) be located more than 1.5 m horizontally from any waterway, open drain or overland flow path; (ii) not exceed a volume of more than 250m³; 2500m³ (iii) not exceed an area of more than 1000m² 10,000m² over any consecutive within a 12 month period; (iv) the total depth of any excavation or filling does not exceed 1.5m above or below ground level; (v) the slope of the resulting cut, filled areas or fill batter face in stable ground, does not exceed a maximum of 1:2 (1 vertical to 2 horizontal); (vi) earthworks are set back 1.5m from all boundaries; (vii) areas exposed by earthworks are re-vegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks, or finished with a hardstand surface; (viii) sediment resulting from the earthworks is retained on the site through implementation and maintenance of erosion and sediment controls; and (ix) do not divert or change the nature of natural water flows, or water bodies or established drainage paths.
P2	<p>(a) Earthworks for the purpose of creating a building platform for residential purposes within a site, using imported fill material, must meet the following condition:</p> <ul style="list-style-type: none"> (i) be carried out in accordance with NZS 4431:1989 Code of Practice for Earth Fill for Residential Development.
P3	<p>(a) Earthworks for purposes other than creating a building platform for residential purposes within a site, using imported fill material (excluding cleanfill) must meet all of the following conditions:</p> <ul style="list-style-type: none"> (i) must not exceed a total volume of 500m³; (ii) must not exceed a depth of 1m; (iii) the slope of the resulting filled area in stable ground must not exceed a maximum slope of 1:2 (1 vertical to 2 horizontal); (iv) fill material is setback 1.5m from all boundaries; (v) areas exposed by filling are revegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks, or finished with a hardstand surface; (vi) sediment resulting from the filling is retained on the site through implementation and maintenance of erosion and sediment controls; and (vii) do not divert or change the nature of natural water flows, water bodies or established drainage paths.
RDI	<p>(a) Earthworks that do not comply with Rule 20.2.5.1 P1, P2 or P3.</p> <p>(b) Council's discretion shall be 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 waterways, significant indigenous vegetation and habitat; (vi) compaction of the fill material; (vii) volume and depth of fill material; (viii) protection of the Hauraki Gulf Catchment Area; (ix) geotechnical stability; (x) flood risk, including natural water flows and established drainage paths; and

	(xi) land instability, erosion and sedimentation.
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20.2.5.2 Earthworks – within Significant Natural Areas

PI	(a) Earthworks for the maintenance of existing tracks, fences or drains within an identified Significant Natural Area and must meet all of the following conditions: <ul style="list-style-type: none"> (i) Maximum volume of 50m³ in a single consecutive 12 month period; (ii) Maximum area of 250m² in a single consecutive 12 month period; and (iii) Not include importing any fill material.
RDI	(a) Earthworks that do not comply with Rule 20.2.5.2 PI. (b) Council’s discretion is restricted to the following matters: <ul style="list-style-type: none"> (i) the location of earthworks in relation to waterways, significant indigenous vegetation or habitat; (ii) the protection of adverse effects on the Significant Natural Area values.
DI	Earthworks within an identified Significant Natural Area in Rules 20.2.5.2 PI or RDI.

20.2.5.3 Earthworks - Landscape and Natural Character Areas

PI	(a) Earthworks for the maintenance of existing tracks, fences or drains within an identified Landscape or Natural Character Area must meet all of the following conditions; <ul style="list-style-type: none"> (i) The earthworks are undertaken within a single consecutive 12 month period; (ii) The earthworks must not exceed the following areas and volumes within a single consecutive 12 month period: <table border="1" style="width: 100%; margin-top: 10px;"> <thead> <tr> <th style="text-align: left;">Landscape or Natural Character Area</th> <th style="text-align: center;">Area (m²)</th> <th style="text-align: center;">Volume (m³)</th> </tr> </thead> <tbody> <tr> <td>Significant Amenity Landscape sand dune</td> <td style="text-align: center;">50</td> <td style="text-align: center;">250</td> </tr> <tr> <td>High Natural Character or Outstanding Natural Character area of the coastal environment</td> <td></td> <td></td> </tr> <tr> <td>Outstanding Natural Feature sand dune</td> <td></td> <td></td> </tr> <tr> <td>Outstanding Natural Feature</td> <td></td> <td></td> </tr> <tr> <td>Outstanding Natural Landscapes</td> <td></td> <td></td> </tr> </tbody> </table> (iii) The height of the resulting cut or batter face in stable ground does not exceed 1.5m; (iv) The maximum slope of the resulting cut or batter face in stable ground does not exceed 1:2 (1m vertical to 2m horizontal); (v) Areas exposed by the earthworks are re-vegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks; (vi) Sediment is retained on the site through implementation and maintenance of erosion and sediment controls; (vii) The earthworks do not divert or change natural water flows, water bodies or established drainage paths. 	Landscape or Natural Character Area	Area (m ²)	Volume (m ³)	Significant Amenity Landscape sand dune	50	250	High Natural Character or Outstanding Natural Character area of the coastal environment			Outstanding Natural Feature sand dune			Outstanding Natural Feature			Outstanding Natural Landscapes		
Landscape or Natural Character Area	Area (m ²)	Volume (m ³)																	
Significant Amenity Landscape sand dune	50	250																	
High Natural Character or Outstanding Natural Character area of the coastal environment																			
Outstanding Natural Feature sand dune																			
Outstanding Natural Feature																			
Outstanding Natural Landscapes																			
DI	Earthworks that do not comply with Rule 20.2.5.3 PI.																		

20.2.6 Hazardous Substances

PI	(a) The use, storage or disposal of any hazardous substance where: (i) the aggregate quantity of a hazardous substance of any hazard classification on a site is less than the quantity specified for the Industrial Zone in Table 51 contained within Appendix 5 (Hazardous Substances).
P2	(a) The storage or use of radioactive materials is: (i) an approved equipment for medical and diagnostic purposes; or (ii) specified as an exempt activity or article in the Radiation Safety Act and Regulations 2017.
CI	(a) The storage of the following maximum volumes of fuel for retail sale within a service station: (i) 100,000 litres of petrol in underground storage tanks; (ii) 50,000 litres of diesel in underground storage tanks; and (iii) 6 tonnes of LPG (single vessel storage). (b) Council shall reserve its control over the following matters: (i) The proposed site design and layout in relation to: A. the sensitivity of the surrounding natural, human and physical environment; potential hazards and exposure pathways arising from the proposed facility, including cumulative risks with other facilities; B. interaction with natural hazards (flooding, instability), as applicable. proposed emergency management planning (spills, fire and other relevant hazards); (ii) Procedures for monitoring and reporting of incidents.
DI	The use, storage or disposal of any hazardous substances that does not comply with Rule 20.2.6 PI, P2 or CI.

20.2.7 Signs

- (1) Rule 20.2.7.1 Signs – General provides permitted standards for any sign, including a real estate sign, across the entire Industrial Zone.
- (2) Rule 20.2.7.2 Signs – Effects on traffic applies to specific standards for a sign directed at road users.

20.2.7.1 Signs – General [697.630, 697.631, 785.65, 742.203]

P1	A public information sign erected by a government agency.
P2	<p>(a) A sign must comply with all of the following conditions:</p> <ul style="list-style-type: none"> (i) The sign height does not exceed 10m; (ii) The sign is wholly contained on the site; (iii) An illuminated sign must: <ul style="list-style-type: none"> A. not have a light source that flashes or moves; and B. not contain moving parts or reflective materials; and C. be set back at least 15m from a state highway or the Waikato Expressway; <p>(b) Where the sign is attached to a building, it must:</p> <ul style="list-style-type: none"> (i) not extend more than 300mm from the building wall; and (ii) not exceed the height of the building; <p>(c) Where the sign is a freestanding sign, it must:</p> <ul style="list-style-type: none"> (i) not exceed an area of 3m² for one sign per site, and 1m² for any other one additional freestanding sign on the site; and (ii) be set back at least 5m from the boundary of any site a Residential, Village or Country Living Zone; (iii) be set back at least 15m from a state highway or the Waikato Expressway <p>(d) The sign is not attached to a heritage item listed in Schedule 30.1 (Heritage Items), except for the purpose of identification and interpretation;</p> <p>(e) The sign is for the purpose of identification and interpretation of not attached to a Maori site of significance listed in Schedule 30.3 (Maori Sites of Significance), except for the purpose of identification and interpretation;</p> <p>(f) The sign relates to:</p> <ul style="list-style-type: none"> (i) goods or services available on the site; or (ii) a property name sign.
P3	<p>(a) A real estate 'for sale' sign must comply with all of the following conditions:</p> <ul style="list-style-type: none"> (i) The sign relates to the sale of the site on which it is located; (ii) There is are no more than + 3 signs per site agency; (iii) The sign is not illuminated; (iv) The sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials; (v) The sign shall not exceed dimensions of 1800mm x 1200mm. The sign does not project into or over road reserve.
RD1	<p>(a) A sign that does not comply with Rules 20.2.7.1 P2 or P3.</p> <p>(b) Council's discretion shall be restricted to the following matters:</p> <ul style="list-style-type: none"> (i) visual amenity; (ii) character of the locality; (iii) effects on traffic safety; (iv) glare and artificial light spill; and (v) content, colour and location of the sign. (vi) effects on the heritage values of any heritage item due to the size, location, design and appearance of the sign; (vii) effects on cultural values of any Maori Site of Significance; (viii) effects on notable architectural features of a heritage building.

20.2.7.2 Signs – effects on traffic [986.119, 697.632]

PI	<p>(a) Any sign directed at road-users must meet the following conditions:</p> <ul style="list-style-type: none"> (i) Not imitate the content, colour or appearance of any traffic control sign; and (ii) Be located at least 60m from controlled intersections, pedestrian crossings and another advertising sign; and (iii) Not obstruct sight lines of drivers turning into or out of a site entrance and intersections or at a level railway crossing; and (iv) Contain no more than 40 characters and no more than 6 symbols; and (v) Have lettering that is at least 150mm high; and (vi) Be at least 130m from a site entrance, where the sign directs traffic to the entrance.
DI	Any sign that does not comply with Rule 20.2.7.2 PI.

~~20.2.8 Outdoor storage of goods or materials [302.16, FS1134.71, FS1353.17, FS1193.17, FS1326.17, 543.9]~~

PI	<p>(a) Outdoor storage of goods or materials must comply with all the following conditions:</p> <ul style="list-style-type: none"> (i) be associated with the activity operating from the site; (ii) not encroach on required parking or loading areas; (iii) not exceed a height of 9m; (iv) not exceed 30% site coverage; (v) be set back at least 3m from the boundary of any: <ul style="list-style-type: none"> A. public road; B. Reserve Zone; C. Residential Zone; D. Village Zone; E. Country Living Zone; F. Business Town Centre Zone; and (vi) be screened from any public road, public reserve and adjoining site in another zone, other than the Heavy Industrial Zone, by the following: <ul style="list-style-type: none"> A. a landscaped strip consisting of plant species that achieve a minimum height of 1.8m at maturity; or B. a close boarded or solid fence or wall to a height of 1.8m.
RDI	<p>(a) Outdoor storage of goods or materials that does not comply with Rule 20.2.8 PI.</p> <p>(b) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (i) visual amenity; and (ii) traffic safety.

20.2.9 Indigenous vegetation clearance inside a Significant Natural Area

PI	<p>(a) Indigenous vegetation clearance in a Significant Natural Area identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas) for any of the following purposes:</p> <ul style="list-style-type: none"> (i) Removing vegetation that endangers human life or existing buildings or structures; (ii) Conservation fencing to exclude stock or pests; (iii) Maintaining existing farm drains; (iv) Maintaining existing tracks and fences; (v) Gathering plants in accordance with Maaori customs and values.
P2	Removal of up to 5m ³ of manuka and/or kanuka outside of the Coastal Environment per single consecutive year 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 tree,

	bush or plant
P3	(a) Indigenous vegetation clearance for building, access, parking and manoeuvring areas in a Significant Natural Area identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas) must comply with all of the following conditions: (i) There is no alternative development area on the site outside the Significant Natural Area; and (ii) The total indigenous vegetation clearance does not exceed 250m ² .
P4	(a) On Maaori Freehold Land or Maaori Customary Land, indigenous vegetation clearance in a Significant Natural Area identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas) where: (i) There is no alternative development area on the site outside the Significant Natural Area; (ii) The following total areas are not exceeded: A. 1500m ² for a Marae complex, including areas associated with access, parking and manoeuvring; and B. 500m ² per dwelling, including areas associated with access, parking and manoeuvring; and C. 500m ² for a papakaainga building including areas associated with access, parking and manoeuvring.
P5	(a) On Maaori Freehold Land or Maaori Customary Land, indigenous vegetation clearance in a Significant Natural Area identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas) for the following purposes: (i) Removing vegetation that endangers human life or existing buildings or structures; (ii) Conservation fencing to exclude stock or pests; (iii) Maintaining existing farm drains; (iv) Maintaining existing tracks and fences; (v) Gathering plants in accordance with Maaori customs and values.
P6	Removal of up to 5m ³ of manuka and/or kanuka outside of the Coastal Environment per single consecutive year 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 tree, bush or plant.
D1	Indigenous vegetation clearance in a Significant Natural Area identified on the planning maps or in Schedule 30.5 (Urban Allotment Significant Natural Areas) that does not comply with one or more conditions in Rules 20.2.9 P1, P2, P3, P4, P5 or P6.

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 height limits for specific activities within this area.

20.3.1 Building height

P1	(a) The maximum height of a building must not exceed: (i) 15m; or (ii) 10m if located on Tregoweth Lane and within 50m of the Residential Zone in Huntly.
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RD1	<p>(a) Any building that does not comply with Rule 20.3.1 PI.</p> <p>(b) Council's discretion is restricted to the following matter:</p> <p>(i) effects on amenity.</p>
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20.3.2 Building height in an Outstanding Natural Feature, Outstanding Natural Landscape or Significant Amenity Landscape

PI	<p>(a) A building must not exceed a height of:</p> <p>(i) 5m in an Outstanding Natural Feature or Outstanding Natural Landscape; and</p> <p>(ii) 7.5m in a Significant Amenity Landscape.</p>
DA	A building that does not comply with Rule 20.3.2 PI .

~~20.3.3 Height – Buildings, structures and vegetation within an airport obstacle limitation surface [697.452, FSI 253.13]~~

PI	A building, structure or vegetation must not protrude through an airport obstacle limitation surface as shown on the planning maps.
NCI	A building, structure or vegetation that does not comply with Rule 20.3.3 PI.

~~20.3.3~~ **20.3.3 Daylight Admission [697.644]**

PI	<p>(a) A building, structure, sign, or any stack or stockpile of goods or materials must not protrude through a height control plane rising at an angle of:</p> <p>(i) 45 degrees commencing at an elevation of 2.5m above ground level at any boundary of the Industrial Zone with any other zone;</p> <p>(ii) 37 degrees commencing at an elevation of 2.5m above ground level at any boundary of the Industrial Zone with any other zone between south-east or south-west of the building or stockpile.</p> <p><u>(a) A building must 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 an Industrial Zone or Heavy Industrial Zone.</u></p>
RD1	<p>(a) A building, structure, sign, or any stack or stockpile of goods or materials that does not comply with Rule 20.3.3 20.3.4 PI.</p> <p>(b) Council's discretion is restricted to the following matter:</p> <p>(i) effect on amenity.</p>

20.3.4 Building setbacks

- (1) **Rule 20.3.4.1** provides the permitted building setbacks from boundaries and the earth bund located at 53 Holmes Road, Horotiu.
- (2) **Rule 20.3.4.2** provides the permitted building setbacks from water bodies.

20.3.4.1 Building setbacks – All boundaries [697.649, 742.207]

PI	(a) A building must be set back at least: <ul style="list-style-type: none"> (i) 5m from a road boundary; (ii) 7.5m from any other boundary where the site adjoins another zone, other than the Heavy Industrial Zone; and (iii) 5m from the toe of the earth bund located on Lot 17 DP 494347 (53 Holmes Road, Horotiu).
RD1	(a) A building that does not comply with Rule 20.3.4.1 PI. (b) Council's discretion is restricted to the following matters: <ul style="list-style-type: none"> (i) effects on amenity values; (i) effects on streetscape; (ii) (iii) traffic and road safety; and (iii) (iv) effects on the earth bund located on lot 17 DP 494347 (53 Holmes Road, Horotiu).

20.3.4.2 Building setback – water bodies

PI	(a) A building must be set back a minimum of 30m from: <ul style="list-style-type: none"> (i) the margin of any: <ul style="list-style-type: none"> A. lake; B. wetland; and C. river bank, other than the Waikato River and Waipa River.
P2	A building must be set back at least 50m from a bank of the Waikato River and Waipa River.
P3	A building must be set back a minimum of 10m from the bank of a perennial or intermittent stream.
P4	A public amenity of up to 25m ² , or a pump shed within any building setback identified in Rule 20.3.4.2 PI, P2 or P3.
D1	A building that does not comply with Rule 20.3.4.2 PI, P2, P3 or P4.

20.3.5 Historic Heritage

- (I) 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

D1	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) Alteration of, or addition to a heritage item listed in Schedule 30.1 (Heritage Items) must
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	<p>comply with the following conditions:</p> <p>(i) no significant feature of interest is removed, destroyed or damaged; and</p> <p>(ii) alterations or additions are not visible from a public place.</p>
RD I	<p>(a) Any activity that does not comply with Rule 20.3.5.3 PI.</p> <p>(b) Council's discretion is restricted to the following matters:</p> <p>(i) form, style, materials and appearance; and</p> <p>(ii) effects on heritage values.</p>

20.3.5.4 All heritage items – maintenance or repair

PI	<p>(a) Maintenance or repair of a heritage item listed in Schedule 30.1 (Heritage Items) must comply with the following conditions:</p> <p>(i) no significant feature of interest is destroyed or damaged; and</p> <p>(ii) replacement materials are the same as, or similar to, the original in terms of form, style and appearance.</p>
RD I	<p>(a) Any activity that does not comply with Rule 20.3.5.4 PI.</p> <p>(b) Council's discretion is restricted to the following matters:</p> <p>(i) form, style, materials and appearance; and</p> <p>(ii) effects on heritage values.</p>

20.3.5.5 All heritage items – all site development

PI	<p>(a) Development on a site of a heritage item listed in Schedule 30.1 ((Heritage Items) must comply with all of the following conditions:</p> <p>(i) be set back at least 10m from the heritage item; and</p> <p>(ii) not locate a building between the front of the heritage item and the road.</p>
RD I	<p>(a) Any activity that does not comply with Rule 20.3.5.5 PI.</p> <p>(b) Council's discretion is restricted to the following matters:</p> <p>(i) effects on the values, context and setting of the heritage item;</p> <p>(ii) location, design, size, materials and finish;</p> <p>(iii) landscaping; and</p> <p>(iv) the relationship of the heritage item with the setting, including the area between the front of the heritage item and the road.</p>

20.4 Subdivision [697.657, 697.658]

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

20.4.1 Subdivision - General [378.113, 378.107, FS1388.74, 302.22, 405.64]

RD I	<p>(a) Subdivision must comply with all of the following conditions:</p> <p>(i) proposed lots must have a minimum net site area of 1000m²;</p> <p>(ii) proposed lots must have an average area of at least 2000m²; <u>and</u></p> <p>(iii) no more than 20% rear lots are created;</p> <p>(iv) <u>proposed lots must be connected to public-reticulated water supply and wastewater</u></p>
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	<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 industrial activities can be accommodated; (ii) amenity values; and (ii) provision of infrastructure and (iii) provision of water supply for firefighting where practicable; and (iv) the extent to which the subdivision design impacts on the operation, maintenance, upgrade and development of existing infrastructure. [405.65, 945.13]
<u>D1</u>	<u>Subdivision that does not comply with any standard in Rule 20.4.1. RDI(a)</u>

20.4.2 Subdivision – Boundaries for Records of Title

RD1	<p>(a) Any boundary of a proposed lot must be located so that:</p> <ul style="list-style-type: none"> (i) existing buildings comply with the permitted activity rules relating to setbacks and daylight admission, except to the extent of any non-compliance that existed lawfully prior to the subdivision; and (ii) no contaminated land, heritage item, archaeological site, or wetland is divided between any proposed lot. <p>(b) Council's discretion is restricted to:</p> <ul style="list-style-type: none"> (i) amenity; (ii) effects on contaminated land; (iii) effects on any heritage item; (iv) effects on any wetland; (v) effects on any archaeological site; and (vi) the extent to which a range of future industrial activities can be accommodated.
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20.4.3 Subdivision - Road Frontage

RD1	<p>(a) Any proposed lot must have a road frontage of least 15m.</p> <p>(b) Rule 20.4.3 (a) does not apply to any 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; and (ii) amenity and streetscape.
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20.4.4 Subdivision - Esplanade Reserves and Esplanade Strips

RD1	<p>(a) Subdivision must create an esplanade reserve or strip 20m wide (or other width stated in Appendix 4 (Esplanade Priority Areas) that is required to be created from every proposed lot: shall vest in Council where any of the following situations apply:</p> <ul style="list-style-type: none"> (i) less than 4ha and within 20m of any: <ul style="list-style-type: none"> A. mean high water springs; B. the bank of any river whose bed has an average width of 3m or more; or C. a lake whose bed has an area of 8ha or more; or (ii) 4ha or more and within 20m of mean high water springs; or a water body identified in Appendix 4 (Esplanade Priority Areas); <p>(b) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (i) the type of esplanade provided - reserve or strip; (ii) width of the esplanade reserve or strip; (iii) provision of legal access to the esplanade reserve or strip; (iv) matters provided for in an instrument creating an esplanade strip or access strip; (v) works required prior to vesting any reserve in the Council, including pest plant control, boundary fencing and the removal of structures and debris; and (vi) layout and design in regard to the effects on the operation, maintenance, upgrading and development of existing infrastructure assets;
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	<p>(vii) Topography, the location of existing buildings, or alternative methods of securing ecological protection, that would justify a reduction in width or not requiring esplanade reserves or strips to be taken.</p> <p>(viii) costs and benefits of acquiring the land.</p>
DI	Subdivision that does not comply with Rule 20.4.4 RDI.

20.4.5 Subdivision of land containing a heritage item

RD1	<p>(a) Subdivision of land 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.
NCI	Subdivision that does not comply with Rule 20.4.5 RDI.

20.4.6 Subdivision - Significant Natural Areas

RD1	<p>(a) Subdivision of a site containing a Significant Natural Area, must not divide the 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 the Significant Natural Area.
NCI	Subdivision that does not comply with Rule 20.4.6 RDI.

20.5 Nau Mai Business Park

20.5.1 Application of rules

- (a) The activity rules in **20.1.1** (Permitted Activities), **20.1.2** (Discretionary Activities) and **20.1.3** (Non-complying Activities) do not apply within the Nau Mai Business Park Specific Area and Rules **20.5.2**, **20.5.3** and **20.5.4** apply instead.
- (b) The rules that apply to a permitted activity in **Rule 20.5.2 PI-PI3** within the Nau Mai Business Park Specific Area as identified on the planning maps are as follows:
- (i) **Rule 20.2** (Land Use – Effects), except:
 - A. **Rule 20.2.2** (Landscape Planting) does not apply and **Rule 20.5.5** applies instead;
 - B. **Rule 20.2.3.1** (Noise – General) does not apply and **Rule 20.5.6** applies instead;
 - C. **Rule 20.2.7.1** (Signs – General) does not apply and **Rule 20.5.7** applies instead;
 - D. **Rule 20.2.8** (Outdoor storage of goods and material) does not apply and **Rule 20.5.8** applies instead.
 - (ii) **Rule 20.3** (Land Use – Building), except:
 - A. **Rule 20.3.1** (Building Height) does not apply and **Rule 20.5.9** applies instead.
 - (iii) **Rule 20.5.10** (Construction Materials);
 - (iv) **Rule 20.5.11** (Building Coverage); and
 - (v) **Rule 20.5.12** (Gross Floor Area);
 - (vi) **Rule 20.5.13** (Building Location and Setbacks); and
 - (vii) **Rule 20.5.14** (Acoustic Insulation for Dwelling)
- (c) **Rule 20.4** (Subdivision) applies for subdivision within the Nau Mai Business Park Specific Area.

20.5.2 Permitted Activities **[697.672]**

- (1) The following activities are permitted activities if they meet all the:
- (a) activity -specific conditions in Rule 20.5.2; and
 - (b) Rules 20.5.5 to 20.5.14 (inclusive).

Activities		Activity-specific conditions
P1	Timber and hardware merchant	Nil
P2	Farming supplies merchant	Nil
P3	Plant nursery	Nil
P4	Landscape supplies	Nil
P5	A retail activity that is ancillary to any permitted activity.	(a) does not exceed 20% of the gross floor area of the industrial building; (b) involves the sale of goods manufactured and stored within the site , except for the activities listed P1-P4 above.
P6	One dwelling residential unit -per lot for a caretaker or security personnel	(a) gross floor area of 70m ² (excluding a garage, carport or decking)
P7	Veterinary practice	Nil
P8	Boarding, breeding or animal training establishment contained in a building or outdoor enclosure	Nil
P9	Research and technology	Nil

P10	An educational facility	for no more than 10 students
P11	A food outlet	less than 200m ² gross floor area
P12	An office that is ancillary to any permitted activity	Nil
P13	Plant and equipment hire	Nil

20.5.3 Discretionary Activity

(1) The activities listed below are discretionary activities.

D1	Any activity that does not comply with an 'Activity Specific Condition' in Rule 20.5.2.
D2	Any permitted activity that does not comply with Effects Rule 20.2 or Building Rules 20.3 unless the activity status is specified as controlled, restricted discretionary or non-complying.

20.5.4 Non-Complying Activities

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

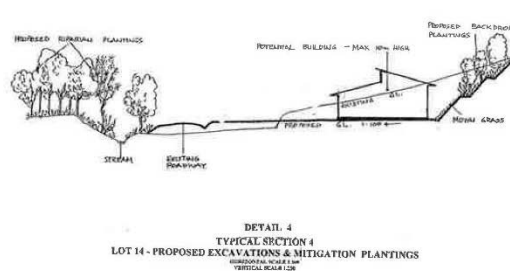
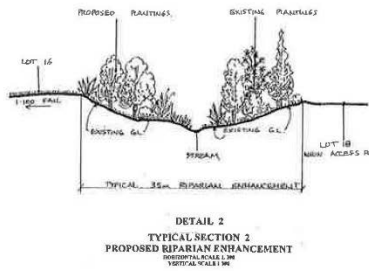
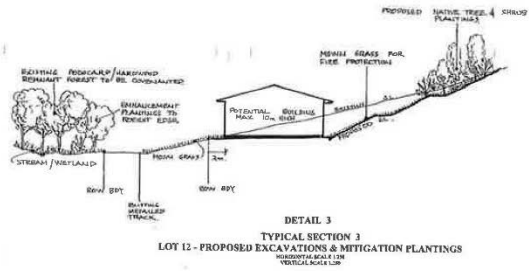
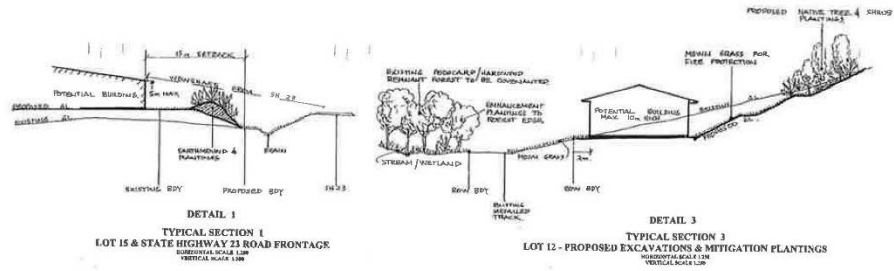
NC1	Any activity that is not listed as permitted activity Rule 20.5.2.
NC2	A residential activity, except for one which is ancillary to the on-site industrial activity for caretakers and security personnel and complies with Rule 20.5.2 P6.

20.5.5 Landscape planting

PI	Any activity that has its associated parking areas and storage areas adjacent to a road shall be separated from that road by a 2m wide landscaped strip which is established and maintained in accordance with the landscape mitigation details and the plan prepared by Bernard Brown Associates titled 'Nau Mai Business Park – 4005, SH23, Okete, Raglan Proposed Overall Landscape Mitigation Concept' dated March 2009.
RDI	<p>(a) Any activity that does not comply with Rule 20.5.5 PI.</p> <p>(b) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (i) amenity values; (ii) the extent to which landscaping departs from the specified landscape mitigation details and landscape plan; and (iii) traffic safety.

6/8/2018

Content Editor - WDCPlanningXchange Software

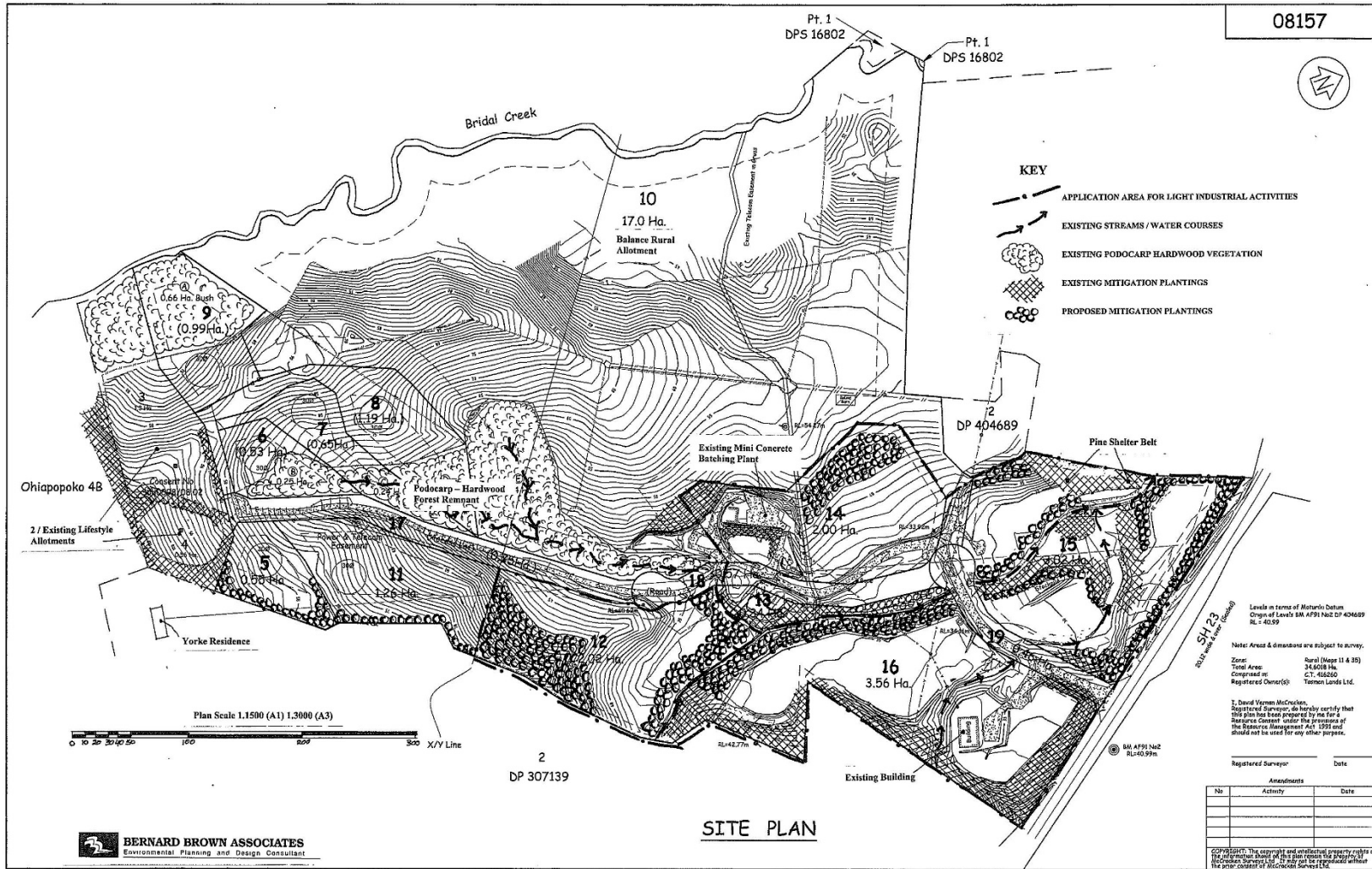


FOR SECTION LOCATIONS SEE APPENDIX 3 (b)



NAU MAI BUSINESS PARK - 4095 SH 23, OKETE, RAGLAN
PROPOSED SECTIONS - LANDSCAPE MITIGATION DETAILS 1-4

APPENDIX 3(c)



BERNARD BROWN ASSOCIATES
Environmental Planning and Design Consultant

Proposed Resource Consent Plan
(Notified)

67 Norton Road
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20 Industrial Zone

NAU MAI BUSINESS PARK – 4005, SH 23, OKAIWI, HAMILTON
PROPOSED OVERALL LANDSCAPE MITIGATION CONCEPT

18 July 2018

Prepared for: **Tasman Lands Ltd** APPENDIX 3(a)

DRAWN: JJ	CHECKED:	SCALE:	SERIES: 1 of 2
TRACED:	DATE: March 2009	1:1500 A1	REF: 08157

20.5.6 Noise – General [697.675]

P1	Noise generated by emergency generators and emergency sirens.
P2	<p>(a) Noise must not exceed the following:</p> <ul style="list-style-type: none"> (i) 65dB (LA¹⁰) (LA^{eq}) at all times within any other site in the Industrial Zone; and (ii) at the notional boundary of any adjoining site in the Rural Zone: <ul style="list-style-type: none"> A. 55dB (LA_{eq}) 7am to 10pm; B. 40 dB (LA_{eq}) 10pm to 7am the following day; and C. 70dB (LA_{max}) 10pm to 7am the following day. <p>(b) Noise levels must be measured in accordance with the requirements of New Zealand Standard NZS 6801:2008 "Acoustics - Measurement of Environmental Sound"</p> <p>(c) Noise levels must be assessed in accordance with the requirements of New Zealand Standard NZS 6802:2008 "Acoustics- Environmental noise".</p>
D2	Noise generated by any activity that does not comply with Rule 20.5.6 P2.

20.5.7 Signs – General

P1	<p>(a) Any freestanding sign or sign attached to a building that is visible from a public place, other than State Highway 23, must comply with all of the following conditions:</p> <ul style="list-style-type: none"> (i) it does not exceed a height of 10m; (ii) it does not have a light source that flashes or moves; (iii) it does not imitate the content, colour or appearance of any traffic control sign; (iv) it does not obscure sight lines of drivers turning into or out of a site entrance; (v) it does not exceed an area of 3m²; (vi) it is set back at least 5m from the boundary of any site in the Rural Zone; and (vii) it does not project onto or over a road reserve. [697.676]
P2	<p>(a) Any free-standing advertising sign adjacent to State Highway 23 must comply with all of the following conditions:</p> <ul style="list-style-type: none"> (i) it does not exceed a height of 6m; (ii) it is not located on or above road reserve; [697.676] (iii) it does not exceed an area of 8m²; (iv) it is located within the eastern corner of Lot 1 DP 454300 (and any subsequent subdivision thereof); (v) it does not have a light source that flashes or moves; (vi) it does not imitate the content, colour or appearance of any traffic control sign; (vii) it can be viewed by drivers for a minimum of 250m; (viii) it has lettering that is at least 120mm high; (ix) it does not obscure sight lines of drivers turning into or out of a site entrance; and (x) it only relates to goods or services available on the site or is a property name sign.
RDI	<p>(a) Any sign that does not comply with Rule 20.5.7 P1 or P2.</p> <p>(b) Council's discretion is limited to the following matters:</p> <ul style="list-style-type: none"> (i) effects on amenity values; (ii) traffic safety.

20.5.8 Outdoor storage of goods or materials

P1	<p>(a) Outdoor storage of goods or materials must comply with all of the following conditions:</p> <ul style="list-style-type: none"> (i) not exceed a height of 9m; (ii) not exceed 30% building coverage; and (iii) be screened from State Highway 23.
RDI	(a) Outdoor storage of goods or materials that does not comply with Rule 20.5.8 P1.

	(b) Council's discretion is restricted to the following matters: <ul style="list-style-type: none"> A. visual amenity; and B. traffic safety.
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20.5.9 Building height

PI	(a) A building that does not exceed a height of: <ul style="list-style-type: none"> (i) 10m; or (ii) 5m at a setback of 15m from State Highway 23 if it is located on Lot 1 DP 454300 (and any subsequent subdivision thereof).
RDI	(a) A building that does not comply with Rule 20.5.9 PI . (b) Council's discretion is restricted to the following matter: <ul style="list-style-type: none"> (i) visual amenity

20.5.10 Construction materials

PI	(a) A building that: <ul style="list-style-type: none"> (i) has a roof in recessive colours; and (ii) does not use unpainted galvanised iron for roofing, cladding or fencing.
RDI	(a) A building that does not comply with Rule 20.5.10 PI . (b) Council's discretion is restricted to the following matter: <ul style="list-style-type: none"> (i) visual amenity

20.5.11 Building coverage

PI	A building must not cover more than 50% of each Effective Building Area identified on the planning maps.
RDI	(a) A building that does not comply with Rule 20.5.11 PI . (b) Council's discretion is restricted to the following matters: <ul style="list-style-type: none"> (i) amenity values; and (ii) stormwater management.

20.5.12 Gross floor area

PI	A building must not exceed a gross floor area of 800m ² .
RDI	(a) Any building that does not comply with Rule 20.5.12 PI . (b) Council's discretion is restricted to the following matter: <ul style="list-style-type: none"> (i) effect on amenity values.

20.5.13 Building location and setbacks

PI	(a) A building that is located: <ul style="list-style-type: none"> (i) within an Effective Building Area identified on the planning maps; (ii) at least 7.5m from a road boundary; and (iii) at least 15m from State Highway 23.
RDI	(a) A building that does not comply with Rule 20.5.13 PI . (b) Council's discretion is restricted to the following matters: <ul style="list-style-type: none"> (i) effect on amenity values; and (ii) effect road safety.

20.5.14 Acoustic insulation for dwelling

PI	(a) A dwelling for a caretaker or security personnel must be designed and constructed to meet
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	<p>the following conditions:</p> <ul style="list-style-type: none"> (i) Noise does not exceed 35dB (LA_{eq}) within any bedroom; (ii) Noise does not exceed 40dB (LA_{eq}) within any other habitable room; and (iii) Ventilation that is necessary to achieve the above noise limits shall comply with the requirements of Clause G4 of the New Zealand Building Code.
DI	A dwelling that does not comply with Rule 20.5.14 PI.

