

## Attachment 3

### Revised Chapter 21 resulting from submitter feedback post Hearing 7

#### Key to use of colour

Green text – provided to submitters on 16 April 2020 for their feedback (post Hearing 7)

Purple text – resulting from submitter feedback

# Chapter 21: Heavy Industrial Zone

## Proposed Waikato District Plan



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## 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:
  - 14 Infrastructure and Energy
  - 15 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 <sup>2</sup> , or 30% gross floor area of all buildings on the site
P5	Food outlet	Less than 200m <sup>2</sup> 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
P11	Service station	Nil

### 21.1.2 Restricted Discretionary Activities

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

Activity	Matters of discretion	
RD1	A residential unit on a site for a caretaker or security personnel that meets the following condition: (i) does not exceed 70m <sup>2</sup> 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.

DI	Any permitted activity that does not comply with an activity-specific condition in <a href="#">Rule 21.1.1</a> .
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D2	Any activity that does not comply with Land Use – Effects <a href="#">Rule 21.2</a> or Land Use – Building <a href="#">Rule 21.3</a> unless the activity is specified as a controlled, restricted discretionary or non-complying activity.
D3	A <a href="#">waste management facility</a>
D4	<a href="#">Storage</a> , processing or disposal of <a href="#">hazardous waste</a>
D5	An <a href="#">extractive industry</a>
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 <a href="#">noise-sensitive activity</a> , except for a <a href="#">residential unit</a> provided by <a href="#">Rule 21.1.2 RD1</a>
NC2	A <a href="#">sensitive land use</a> , except for a <a href="#">residential unit</a> provided by <a href="#">Rule 21.1.2 RD1</a>
NC3	An office not provided by <a href="#">Rule 21.1.1 P4</a>
NC4	A retail activity not provided by <a href="#">Rule 21.1.1 P6</a>

## 21.2 Land Use Effects

### 21.2.1 Landscape planting

PI	(a) Any <a href="#">building</a> or land use activity on a <a href="#">record of title</a> that has a side and/or rear <a href="#">boundary</a> 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 <a href="#">boundary</a> (ii) comprises a mixture of indigenous shrubs and trees planted a maximum of 1.5 metres apart
RD1	(a) Any <a href="#">building</a> or land use activity that does not comply with <a href="#">Rule 21.2.1 P1</a> . (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 <a href="#">building</a> or land use activity on a <a href="#">record of title</a> that contains, or adjoins, a <a href="#">river</a> or a permanent or intermittent stream, that is landscaped to the following minimum standards: (i) a 4 metre depth measured from the <a href="#">bank</a> and extending across the entire length of the <a href="#">water body</a> (ii) comprises mixed <a href="#">indigenous vegetation</a> planted a maximum of 1.5 metres apart.
RD2	(a) Any <a href="#">building</a> or land use activity that does not comply with <a href="#">Rule 21.2.1 P2</a> . (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 <a href="#">river</a> 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 <b>emergency generator</b> s and emergency sirens.
P2	<ul style="list-style-type: none"> <li>(a) Noise measured within any other <b>site</b>:                             <ul style="list-style-type: none"> <li>(i) In the Heavy Industrial Zone that does not exceed:                                     <ul style="list-style-type: none"> <li>A. 75dB (LA<sub>eq</sub>) at any time.</li> </ul> </li> <li>(ii) In the General Industrial Zone that does not exceed:                                     <ul style="list-style-type: none"> <li>A. 75dB (LA<sub>eq</sub>) 7am to 10pm</li> <li>B. 55dB (LA<sub>eq</sub>) and 85dB (LA<sub>max</sub>) 10pm to 7am the following day.</li> </ul> </li> </ul> </li> <li>(b) Noise measured within a <b>site</b> in any zone, other than the Heavy Industrial Zone and General Industrial Zone, that does not exceed the permitted noise levels for that zone.</li> <li>(c) Noise levels that are measured in accordance with the requirements of <b>NZ 6801:2008</b> “Acoustics Measurements of Environmental Sound”</li> <li>(d) Noise levels that are assessed in accordance with the requirements of <b>NZS 6802:2008</b> “Acoustics Environmental Noise”</li> </ul>
RDI	<ul style="list-style-type: none"> <li>(a) Noise that does not comply with <b>Rule 21.2.2.1</b> P1 or P2</li> <li>(b) Council’s discretion is restricted to the following matters:                             <ul style="list-style-type: none"> <li>(i) effects on amenity values</li> <li>(ii) hours and days of operation</li> <li>(iii) location of noise sources in relation to any <b>boundary</b></li> <li>(iv) frequency or other special characteristics of noise</li> <li>(v) mitigation measures</li> <li>(vi) noise levels and duration.</li> </ul> </li> </ul>

**21.2.2.1A Noise – Pokeno**

PI	Noise generated by <b>emergency generator</b> s and emergency sirens.
P2	<ul style="list-style-type: none"> <li>(a) Noise measured within any other <b>site</b>:                             <ul style="list-style-type: none"> <li>(i) In the Heavy Industrial Zone in Pokeno that does not exceed:                                     <ul style="list-style-type: none"> <li>A. 70dB (LA<sub>eq</sub>) at any time</li> </ul> </li> <li>(ii) In the General Industrial Zone in Pokeno that does not exceed:                                     <ul style="list-style-type: none"> <li>A. 65dB (LA<sub>eq</sub>) at any time</li> </ul> </li> </ul> </li> <li>(b) Noise measured within a <b>site</b> 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.</li> <li>(c) Noise levels that are measured in accordance with the requirements of <b>NZ 6801:2008</b> “Acoustics Measurements of Environmental Sound”</li> <li>(d) Noise levels that are assessed in accordance with the requirements of <b>NZS 6802:2008</b> “Acoustics Environmental Noise”</li> </ul>
RDI	<ul style="list-style-type: none"> <li>(a) Noise that does not comply with <b>Rule 21.2.2.1A</b> P1 or P2</li> <li>(b) Council’s discretion is restricted to the following matters:                             <ul style="list-style-type: none"> <li>(i) effects on amenity values</li> </ul> </li> </ul>

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

### 21.2.2.3 Noise – Construction

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

### 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 <a href="#">Rule 21.2.3 PI</a>.</p> <p>(b) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> <li>(i) effects on amenity values</li> <li>(ii) light spill levels on another <a href="#">site</a></li> <li>(iii) road safety</li> <li>(iv) duration and frequency</li> <li>(v) location and orientation of the light source</li> <li>(vi) mitigation measures.</li> </ul>
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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

PI	<a href="#">Earthworks</a> within a <a href="#">site</a> , that may or may not involve imported <a href="#">cleanfill material</a> , for the purpose of creating a <a href="#">building platform</a> and/or ancillary hardstand area.
P2	<p>(a) <a href="#">Earthworks</a> (excluding imported <a href="#">fill material</a>) within a <a href="#">site</a> that:</p> <ul style="list-style-type: none"> <li>(i) <a href="#">are</a> located more than 1.5 metres from any <a href="#">water body</a>, open drain or <a href="#">overland flow path</a></li> <li>(ii) do not exceed a volume of 10,000m<sup>3</sup></li> <li>(iii) do not exceed an area of 10,000m<sup>2</sup> within a 12 month period</li> <li>(iv) do not exceed a slope in <a href="#">stable ground</a> of 1:2 (1 metre vertical to 2 metre horizontal)</li> <li>(v) result in exposed areas being re-vegetated to achieve 80% ground cover within 6 months of the commencement of the <a href="#">earthworks</a>, or finished with a hardstand surface</li> <li>(vi) result in sediment being retained on the <a href="#">site</a> through implementation and maintenance of erosion and sediment controls</li> <li>(vii) do not result in any change to natural water flows, any <a href="#">water body</a> or established drainage path.</li> </ul>
P3	<p>(a) <a href="#">Earthworks</a> involving imported <a href="#">fill material</a> (excluding <a href="#">cleanfill material</a>) for purposes other than creating a <a href="#">building platform</a> within a <a href="#">site</a>, that:</p> <ul style="list-style-type: none"> <li>(i) are located more than 1.5 metres from any <a href="#">water body</a>, open drain or <a href="#">overland flow path</a></li> <li>(ii) do not exceed a volume of 10,000m<sup>3</sup></li> <li>(iii) do not exceed a slope in <a href="#">stable ground</a> of 1:2 (1 metre vertical to 2 metre horizontal)</li> <li>(iv) result in exposed areas being re-vegetated to achieve 80% ground cover within 6 months of the commencement of the <a href="#">earthworks</a>, or finished with a hardstand surface</li> <li>(v) result in sediment being retained on the <a href="#">site</a> through implementation and maintenance of erosion and sediment controls</li> <li>(vi) do not result in any change to natural water flows, any <a href="#">water body</a> or established drainage path.</li> </ul>
RDI	<p>(a) <a href="#">Earthworks</a> that do not comply with <a href="#">Rule 21.2.4.1 PI, P2 or P3</a>.</p> <p>(b) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> <li>(i) amenity values and landscape effects</li> <li>(ii) volume, extent and depth of <a href="#">earthworks</a></li> <li>(iii) nature of <a href="#">fill material</a></li> <li>(iv) contamination of <a href="#">fill material</a></li> <li>(v) location of the <a href="#">earthworks</a> in relation to any <a href="#">water body</a>, significant <a href="#">indigenous vegetation</a> and habitat</li> <li>(vi) compaction of the <a href="#">fill material</a></li> <li>(vii) volume and depth of <a href="#">fill material</a></li> </ul>

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

PI	<ul style="list-style-type: none"> <li>(a) Earthworks for the maintenance of existing tracks, fences or drains within an identified Significant Natural Area that: <ul style="list-style-type: none"> <li>(i) do not exceed a volume of 50m<sup>3</sup> in a 12 month period</li> <li>(ii) do not exceed an area of 250m<sup>2</sup> in a 12 month period</li> <li>(iii) do not involve importing any fill material</li> <li>(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)</li> <li>(iv) result in sediment being retained on the site through implementation and maintenance of erosion and sediment controls</li> <li>(vii) do not result in any change to natural water flows, any water body or established drainage path.</li> </ul> </li> </ul>
RDI	<ul style="list-style-type: none"> <li>(a) Earthworks that do not comply with Rule 21.2.4.2 PI.</li> <li>(b) Council's discretion is restricted to the following matter: <ul style="list-style-type: none"> <li>(i) the extent to which the aesthetic and ecological values of the Significant Natural Area are maintained.</li> </ul> </li> </ul>

### 21.2.4.3 Earthworks - Landscape and Natural Character Areas

PI	(a) <b>Earthworks</b> for the maintenance of existing tracks, fences or drains within any area listed below that: <ul style="list-style-type: none"> <li>(i) do not exceed the following areas and volumes within a 12 month period:           <table border="1" data-bbox="384 338 1259 757"> <thead> <tr> <th>Landscape or Natural Character Area</th> <th>Area (m<sup>2</sup>)</th> <th>Volume (m<sup>3</sup>)</th> </tr> </thead> <tbody> <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> </tbody> </table> </li> <li>(ii) do not result in any cut or batter face in <b>stable ground</b> exceeding a <b>height</b> of 1.5 metres</li> <li>(iii) do not result in any cut or batter face in <b>stable ground</b> exceeding a slope of 1:2 (1 metre vertical to 2 metre horizontal)</li> <li>(iv) result in exposed areas being re-vegetated to achieve 80% ground cover within 6 months of the commencement of the <b>earthworks</b></li> <li>(v) result in sediment being retained on the <b>site</b> through implementation and maintenance of erosion and sediment controls</li> <li>(vi) do not result in any change to natural water flows, any <b>water body</b> or established drainage path.</li> </ul>	Landscape or Natural Character Area	Area (m <sup>2</sup> )	Volume (m <sup>3</sup> )	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 <sup>2</sup> )	Volume (m <sup>3</sup> )							
Significant Amenity Landscape	50	250								
High Natural Character Area or Outstanding Natural Character Area										
Outstanding Natural Feature										
Outstanding Natural Landscape										
RD1	(a) <b>Earthworks</b> that do not comply with <b>Rule 21.2.4.3 PI</b> . (b) Council's discretion is restricted to the following matter: <ul style="list-style-type: none"> <li>(i) the extent to which adverse effects on landscape or natural character values are avoided, remedied or mitigated.</li> </ul>									

### 21.2.5 Hazardous substances

PI	(a) The <b>use, storage</b> or disposal of any <b>hazardous substance</b> where: <ul style="list-style-type: none"> <li>(i) the aggregate quantity of <b>hazardous substance</b> of any hazard classification on a <b>site</b> is less than the quantity specified for the Heavy Industrial Zone in <b>Table 5.1</b> contained within <b>Appendix 5 (Hazardous Substances)</b>.</li> </ul>
P2	(a) The <b>storage</b> or <b>use</b> of radioactive materials that is: <ul style="list-style-type: none"> <li>(i) an approved equipment for medical and diagnostic purposes; or</li> <li>(ii) specified as an exempt activity or article in the <b>Radiation Safety Act and Regulations 2017</b>.</li> </ul>
CI	(a) The <b>storage</b> of fuel for retail sale at a service station where the following volumes are not exceeded: <ul style="list-style-type: none"> <li>(i) 100,000 litres of petrol in underground <b>storage</b> tanks</li> <li>(ii) 50,000 litres of diesel in underground <b>storage</b> tanks</li> <li>(iii) 6 tonnes of LPG (single vessel storage).</li> </ul> (b) Council reserves its control over the following matters: <ul style="list-style-type: none"> <li>(i) The proposed <b>site</b> design and layout in relation to:           <ul style="list-style-type: none"> <li>A. the sensitivity of the surrounding natural, human and physical environment</li> <li>B. potential hazards and exposure pathways arising from the proposed facility, including <b>cumulative risks</b> with other facilities</li> <li>C. interaction with natural hazards (flooding, instability), as applicable</li> </ul> </li> </ul>

	D. proposed emergency management planning (spills, fire and other relevant hazards) (ii) Procedures for the monitoring and reporting of incidents.
DI	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"> <li>(i) does not exceed a sign height of 15 metres</li> <li>(ii) is contained wholly within the site</li> <li>(iii) relates to goods or services available on the site or a property name</li> <li>(iv) is set back at least 15 metres from a state highway or Waikato Expressway</li> <li>(v) if illuminated: <ul style="list-style-type: none"> <li>A. does not have a light source that flashes or moves</li> <li>B. does not contain moving parts or reflective materials</li> </ul> </li> </ul> <p>(b) A sign attached to a building that:</p> <ul style="list-style-type: none"> <li>A. does not extend more than 300mm from the building wall</li> <li>B. does not exceed the height of the building</li> </ul> <p>(c) Freestanding signs that:</p> <ul style="list-style-type: none"> <li>A. do not exceed an area of 3m<sup>2</sup> for one sign per site, and 1m<sup>2</sup> for one additional freestanding sign on the site</li> <li>B. are set back at least 5 metres from the boundary of any site in any Residential or Reserve Zone</li> <li>C. are set back at least 15 metres from the boundary of a state highway or Waikato Expressway</li> </ul> <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"> <li>(i) relates to the sale of the site on which it is located</li> <li>(ii) does not result in more than 3 signs per site</li> <li>(iii) is not illuminated;</li> <li>(iv) does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials,</li> <li>(v) does not exceed dimensions of 1800mm x 1200mm</li> </ul>
RD1	<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"> <li>(i) amenity;</li> <li>(ii) effects on traffic safety;</li> <li>(iii) glare and artificial light spill;</li> <li>(iv) content, colour and location of the sign.</li> <li>(v) effects on the heritage values of any heritage item due to the size, location, design and appearance of the sign;</li> </ul>

### 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"> <li>(i) does not imitate the content, colour or appearance of any traffic control sign</li> <li>(ii) is located at least 60m from controlled intersections, pedestrian crossings and another advertising sign</li> <li>(iii) does not obstruct sight lines of drivers turning into or out of a site entrance and intersections or at a level railway crossing</li> <li>(iv) does not contain more than 40 characters and no more than 6 symbols</li> <li>(v) has lettering that is at least 150mm high.</li> <li>(vi) is at least 130m from a site entrance, where the sign directs traffic to that entrance.</li> </ul>
RDI	<p>(a) Any sign that does not comply with Rule 21.2.6.2 P1.</p> <p>(b) Council's discretion is restricted to the following matter:</p> <ul style="list-style-type: none"> <li>(i) the extent to which the safety of road users is maintained</li> </ul>

### 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"> <li>(i) clearance of indigenous vegetation that endangers human life or any existing building or structure</li> <li>(ii) conservation fencing to exclude stock or pests</li> <li>(iii) maintenance of existing farm drains</li> <li>(iv) maintenance of existing tracks and fences</li> <li>(v) gathering of plants in accordance with Maaori customs and values.</li> </ul>
P2	<p>(a) Removal of up to 5m<sup>3</sup> 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"> <li>(i) there is no alternative development area on the site outside the Significant Natural Area; and</li> <li>(ii) the area of indigenous vegetation clearance does not exceed 250m<sup>2</sup>.</li> </ul>
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"> <li>(i) there is no alternative development area on the site outside the Significant Natural Area</li> <li>(ii) the following areas of indigenous vegetation clearance are not exceeded: <ul style="list-style-type: none"> <li>A. 1500m<sup>2</sup> for a Marae complex, including areas associated with access, parking and manoeuvring; and</li> <li>B. 500m<sup>2</sup> per residential unit, including areas associated with access, parking and manoeuvring; and</li> <li>C. 500m<sup>2</sup> for a papakainga building including areas associated with access, parking and manoeuvring.</li> </ul> </li> </ul>
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"> <li>(i) Clearance of indigenous vegetation that endangers human life or an existing building or structure</li> <li>(ii) conservation fencing to exclude stock or pests;</li> <li>(iii) maintaining existing farm drains;</li> <li>(iv) maintaining existing tracks and fences;</li> <li>(v) gathering of plants in accordance with Maaori customs and values.</li> </ul>

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.
P2	(a) A building or structure on the Huntly Power Station site that does not exceed a height of: (i) 60 metres; and (ii) 35 metres over 90% of the site.
RDI	(a) A building that does not comply with Rule 21.3.1 P1 or P2. (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.
RDI	(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.
RDI	(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.
RDI	(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	<ul style="list-style-type: none"> <li>(a) A <b>building</b> that is set back at least:                             <ul style="list-style-type: none"> <li>(i) 5 metres from a road <b>boundary</b></li> <li>(ii) 3 metres from any other <b>boundary</b> where the <b>site</b> adjoins another zone, other than the General Industrial Zone.</li> </ul> </li> </ul>
RDI	<ul style="list-style-type: none"> <li>(a) A <b>building</b> that does not comply with <a href="#">Rule 21.3.5.1 PI</a></li> <li>(b) Council’s discretion is restricted to the following matters:                             <ul style="list-style-type: none"> <li>(i) effects on amenity values</li> <li>(ii) effects on streetscape</li> <li>(iii) traffic and <b>road</b> safety.</li> </ul> </li> </ul>

#### 21.3.5.2 Building setback – water bodies

PI	<ul style="list-style-type: none"> <li>(a) A <b>building</b> that is set back a minimum of 30 metres from:                             <ul style="list-style-type: none"> <li>(i) a lake margin                                     <ul style="list-style-type: none"> <li>(i) a <b>wetland</b> that is identified on the planning maps</li> <li>(ii) the <b>bank</b> of a <b>river</b>, other than the Waikato River and Waipa River, whose bed has an average width of 3 metres or more.</li> </ul> </li> </ul> </li> </ul>
P2	A <b>building</b> that is set back at least 50 metres from a <b>bank</b> of the Waikato River and Waipa River.
P3	<ul style="list-style-type: none"> <li>(a) A <b>building</b> that is set back a minimum of 10 metres from:                             <ul style="list-style-type: none"> <li>(i) the <b>bank</b> of a perennial or intermittent stream whose <b>bed</b> has an average width of less than 3 metres</li> <li>(i) a <b>wetland</b> that is not identified on the planning maps.</li> </ul> </li> </ul>
P4	A pump shed, or a <b>public amenity</b> not exceeding an area of 25m <sup>2</sup> , that is located within the building setbacks identified in <a href="#">Rule 21.3.5.2 PI, P2 and P3</a> .
RDI	<ul style="list-style-type: none"> <li>(a) Any <b>building</b> that does not comply with <a href="#">Rule 21.3.5.2 PI, P2, P3 or P4</a>.</li> <li>(b) Council’s discretion is restricted to the following matters:                             <ul style="list-style-type: none"> <li>(iii) the extent to which the natural character values of the <b>water body</b> or <b>wetland</b> are maintained.</li> </ul> </li> </ul>

## 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) <b>Proposed lots in a subdivision</b> must:</p> <ol style="list-style-type: none"> <li>(i) have a minimum <b>net site area</b> of 1000m<sup>2</sup>;</li> <li>(ii) have an average <b>net site area</b> of at least 2000m<sup>2</sup> and</li> <li>(iii) be connected to public-reticulated water supply and wastewater.</li> </ol> <p>(b) Council’s discretion is restricted to the following matters:</p> <ol style="list-style-type: none"> <li>(i) the extent to which a range of future activities can be accommodated</li> <li>(ii) provision of <b>infrastructure</b></li> <li>(iii) provision of water supply for firefighting where practicable</li> <li>(iv) the extent to which the subdivision design impacts on the operation, maintenance, upgrade and development of existing <b>infrastructure</b>.</li> </ol>
DI	<b>Subdivision</b> that does not comply with <b>Rule 21.4.1. RDI</b> .

### 21.4.2 Subdivision – Boundaries for Records of Title

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

### 21.4.3 Subdivision - Road frontage

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

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

### 21.4.5 Subdivision - Significant Natural Areas

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