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Chapter 21: Industrial Zone Heavy

Proposed Waikato District

Plan Stage I

(Notified version)

Waikato



DISTRICT COUNCIL

Te Kaunihera aa Takiwaa o Waikato

Chapter 21: Industrial Zone Heavy

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.

- (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 Heavy 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 (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

21.1 Land Use – Activities

21.1.1 Permitted Activities

~~(1) The following activities are permitted activities if they meet all the following:~~

- ~~(a) 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); and~~
- ~~(b) 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).~~

(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% <u>gross floor area</u> of all buildings on the site.
P5	Food outlet	Less than 200m ² <u>gfa-gross floor area</u>

P6	Ancillary retail	Does not exceed 10% gross floor area of all building 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.

RD1	(a) A residential unit for a caretaker or security personnel that: (i) does not exceed 70m² gross floor area (b) Council's discretion is restricted to the following matter: (i) reverse sensitivity effects including noise, odour, dust, glare and light spill
D1	An activity that does not comply with Rule 21.1.2 RD1.

21.1.2 Discretionary Activities

(1) The activities listed below are discretionary activities:

D1	Any activity that does not comply with the Land Use – Effects Rule 21.1 or Land Use – Building Rule 21.3 unless the activity is specified as a controlled, restricted discretionary or non-complying activity.
D2	A waste management facility
D3	Storage, processing or disposal of hazardous waste
D4	An extractive industry
D5	An office
D6	A retail activity

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.

21.1.3 Non-complying Activities

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

NC1	Any activity that is not listed as a permitted or discretionary activity.
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21.1.4 Non-complying Activities

(1) 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 Servicing and hours of operation

PI	Service and operation of any 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.
RD1	(a) Servicing and operation of any industrial activity which does not comply with Rule 21.2.1 PI; (b) Council's discretion is restricted to the following matters: (i) effects on amenity values; (ii) distance to nearest dwelling; (iii) hours and days of operation; (iv) nature and frequency of the after hours activity; (v) noise, lighting and glare; and (vi) type of vehicles involved.

21.2.2 Landscape planting

CI	(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 (b) Any activity on a lot that contains, or is adjacent to, a river or a permanent or intermittent stream shall provide an 8m wide landscaped strip measured from the top edge of the closest bank and extending across the entire length of the watercourse. (c) Council's control is reserved over the following matters: (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.
RD1	(a) Any activity that does not comply with Rule 21.2.2 CI; (b) Council's discretion is restricted to the following matters: (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.
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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.

21.2.3 Noise

- (1) ~~Rule 21.2.3.1 Noise—General provides permitted noise levels in the Heavy Industrial Zone.~~
- (2) ~~Rule 21.2.3.2 Noise—Huntly Power Station provides permitted noise levels for activities occurring on the Huntly Power Station site.~~
- (3) ~~Rule 21.2.3.3 Noise—Construction provides the permitted noise limits for construction activities.~~

21.2.3.1 Noise—General

P1	Noise generated by emergency generators and emergency sirens.
P2	(a) Noise measured within any other site: (i) In the Heavy Industrial Zone must not exceed: A. 75dB (LA_{eq}) at any time; (ii) In the Industrial Zone must not exceed: A. 75dB (LA_{eq}); 7am to 10pm; and B. 55dB (LA_{eq}) and 85dB (LA_{max}) 10pm to 7am the following day.
P3	(a) Noise measured within any site in any zone, other than 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".
RD1	(a) Noise that does not comply with Rule 21.2.3.1 P2, P3 or P4.

	<p>(b) Council's discretion is restricted to the following matters:</p> <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; and (vi) noise levels and duration.
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21.2.3.2 Noise – Huntly Power Station

P1	Noise generated by emergency generators and emergency sirens.
P2	<p>(a) Noise measured at the notional boundary within any site in the Rural Zone must not exceed:</p> <ul style="list-style-type: none"> (i) 55dB (LA_{eq}) 7am to 10pm; and (ii) 45dB (LA_{eq}) and 75dB (LA_{max}) 10pm to 7am the following day.
P3	(a) Noise measured within any site in the Residential Zone must meet the permitted noise levels for that zone.
P4	<p>(a) Noise levels must be measured in accordance with the requirements of NZS 6801:2008 "Acoustics – Measurement of Environmental Sound".</p> <p>(b) Noise levels must be assessed in accordance with the requirements of NZS 6802:2008 "Acoustics – Environmental Noise".</p>
RD+	<p>(a) Noise that does not comply with Rule 21.2.3.2 P1, P2, P3 or P4</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) 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; and (vi) noise levels and duration.

21.2.3.3 Noise – Construction

P1	<p>(a) Construction noise must meet the limits in NZS 6803:1999 (Acoustics – Construction Noise).</p> <p>(b) Construction noise must be measured and assessed in accordance with the requirements of NZS 6803:1999 'Acoustics – Construction Noise'.</p>
RD+	<p>(a) Construction noise that does not comply with Rule 21.2.3.3 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) hours and days of construction; (iii) noise levels; (iv) timing and duration; and (v) methods of construction.

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

<u>PI</u>	Noise generated by <u>emergency generators</u> and emergency sirens.
<u>P2</u>	<p>(a) <u>Noise measured within any other site:</u></p> <p>(i) <u>In the Heavy Industrial Zone that does not exceed:</u> A. <u>75dB (LA_{eq}) at any time.</u></p> <p>(ii) <u>In the General Industrial Zone that does not exceed:</u> A. <u>75dB (LA_{eq}) 7am to 10pm</u> B. <u>55dB (LA_{eq}) and 85dB (LA_{max}) 10pm to 7am the following day.</u></p> <p>(b) <u>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.</u></p> <p>(c) <u>Noise levels that are measured in accordance with the requirements of NZ 6801:2008 “Acoustics Measurements of Environmental Sound”</u></p> <p>(d) <u>Noise levels that are assessed in accordance with the requirements of NZS 6802:2008 “Acoustics Environmental Noise”</u></p>
<u>RD1</u>	<p>(a) <u>Noise that does not comply with Rule 21.2.2.1 P1 or P2</u></p> <p>(b) <u>Council’s discretion is restricted to the following matters:</u></p> <p>(i) <u>effects on amenity values</u></p> <p>(ii) <u>hours and days of operation</u></p> <p>(iii) <u>location of noise sources in relation to any boundary</u></p> <p>(iv) <u>frequency or other special characteristics of noise</u></p> <p>(v) <u>mitigation measures</u></p> <p>(vi) <u>noise levels and duration.</u></p>

21.2.2.1A Noise – Pokeno

<u>PI</u>	Noise generated by <u>emergency generators</u> and emergency sirens.
<u>P2</u>	<p>(a) <u>Noise measured within any other site:</u></p> <p>(i) <u>In the Heavy Industrial Zone in Pokeno that does not exceed:</u> A. <u>70dB (LA_{eq}) at any time</u></p> <p>(ii) <u>In the General Industrial Zone in Pokeno that does not exceed:</u> A. <u>65dB (LA_{eq}) at any time</u></p> <p>(b) <u>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.</u></p> <p>(c) <u>Noise levels that are measured in accordance with the requirements of NZ 6801:2008 “Acoustics Measurements of Environmental Sound”</u></p> <p>(d) <u>Noise levels that are assessed in accordance with the requirements of NZS 6802:2008 “Acoustics Environmental Noise”</u></p>
<u>RD1</u>	<p>(a) <u>Noise that does not comply with Rule 21.2.2.1A P1 or P2</u></p> <p>(b) <u>Council’s discretion is restricted to the following matters:</u></p> <p>(i) <u>effects on amenity values</u></p> <p>(ii) <u>hours of operation</u></p> <p>(iii) <u>location of noise sources in relation to any boundary</u></p> <p>(iv) <u>frequency or other special characteristics of noise</u></p> <p>(v) <u>mitigation measures</u></p> <p>(vi) <u>noise levels and duration.</u></p>

21.2.2.2 Noise – Huntly Power Station

PI	Noise generated by emergency generator s and emergency sirens.
P2	<p>(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:</p> <p>(i) 55dB (LA_{eq}) 7am to 10pm</p> <p>(ii) 45dB (LA_{eq}) and 75dB (LA_{max}) 10pm to 7am the following day.</p> <p>(b) Noise measured within any site in the Residential Zone, where a residential unit has existed since 25 September 2004, that does not exceed:</p> <p>(i) 50dB (LA_{eq}) 7am to 7pm</p> <p>(ii) 45dB (LA_{eq}) 7pm to 10pm</p> <p>(iii) 40 dB (LA_{eq}) and 65 dB (LA_{max}) 10pm to 7am the following day.</p> <p>(c) Noise levels that are measured in accordance with the requirements of NZS 6801:2008 “Acoustics Measurement of Environmental Sound”</p> <p>(d) Noise levels that are assessed in accordance with the requirements of NZS 6802: 2008 “Acoustics Environmental Noise”</p>
RD1	<p>(a) Noise that does not comply with Rule 21.2.2.2 P1 or P2.</p> <p>(b) Council’s discretion is restricted to the following matters:</p> <p>(i) <u>effects on amenity values</u></p> <p>(ii) <u>hours and days of operation</u></p> <p>(iii) <u>location of noise sources in relation to any boundary</u></p> <p>(iv) <u>frequency or other special characteristics of noise</u></p> <p>(v) <u>mitigation measures</u></p> <p>(vi) <u>noise levels and duration.</u></p>

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 .
RD1	<p>(a) Construction noise that does not comply with Rule 21.2.2.3 P1.</p> <p>(b) Council’s discretion is restricted to the following matters:</p> <p>(i) <u>effects on amenity values</u></p> <p>(ii) <u>hours and days of construction</u></p> <p>(iii) <u>noise levels</u></p> <p>(iv) <u>timing and duration</u></p> <p>(v) <u>method of construction.</u></p>

21.2.4 Glare and Artificial Light Spill

PI	Glare and artificial light spill must not exceed 10 lux measured horizontally and vertically within any other site .
RD1	<p>(a) Illumination that does not comply with Rule 21.2.4 P1.</p> <p>(b) Council’s discretion is restricted to the following matters:</p> <p>(i) effects on amenity values;</p> <p>(ii) light spill levels on another site;</p> <p>(iii) road safety;</p> <p>(iv) duration and frequency;</p> <p>(v) location and orientation of the light source; and</p> <p>(vi) mitigation measures.</p>

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.
RDI	<p>(a) Illumination that does not comply with Rule 21.2.3 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) light spill levels on another site (iii) road safety (iv) duration and frequency (v) location and orientation of the light source (vi) mitigation measures.

21.2.5 Earthworks

- (1) Rules 21.2.5.1 Earthworks—General provides the permitted rules for earthwork activities in the Heavy Industrial Zone.
- (2) There are specific standards for earthworks within rules:
- (a) Rule 21.2.5.2 Earthworks—Significant Natural Areas
 - (b) Rule 21.2.5.3 Earthworks—Landscape and Natural Character Areas

21.2.5.1 Earthworks—General

PI	<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; (iii) not exceed an area of more than 1000m² over any single consecutive 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; (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, 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) not exceed a total volume of 500m³; (ii) not exceed a depth of 1m; (iii) the slope of the resulting filled area in stable ground to exceed a maximum slope of 1:2 (1 vertical to 2 horizontal); (iv) fill material is set back 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; (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.
RD1	<p>(a) Earthworks that do not comply with Rule 21.2.5.1 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 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.

21.2.5.2 Earthworks – Significant Natural Areas

P1	<p>(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:</p> <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.
RD1	<p>(a) Earthworks that do not comply with Rule 21.2.5.2 P1;</p> <p>(b) Council's discretion is restricted to the following matters:</p> <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.
D1	Earthworks within an identified Significant Natural Area not provided for in Rule 21.2.5.2 P1 or RD1.

21.2.5.3 Earthworks – Landscape and Natural Character Areas

P1	<p>(a) Earthworks for the maintenance of existing tracks, fences or drains within an identified Landscape or Natural Character Area and must meet all of the following conditions:</p> <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="margin-left: 40px;"> <thead> <tr> <th>Landscape or Natural Character Area</th> <th>Area (m²)</th> <th>Volume (m³)</th> </tr> </thead> <tbody> <tr> <td>Significant Amenity</td> <td>50</td> <td>250</td> </tr> </tbody> </table>	Landscape or Natural Character Area	Area (m²)	Volume (m³)	Significant Amenity	50	250
Landscape or Natural Character Area	Area (m²)	Volume (m³)					
Significant Amenity	50	250					

	<p>Landscape sand dune</p> <p>High Natural Character or Outstanding Natural Character area of the coastal environment</p> <p>Outstanding Natural Feature sand dune</p> <p>Outstanding Natural Feature</p> <p>Outstanding Natural Landscape</p>			
	<p>(iii) The height of the resulting cut or batter face in stable ground does not exceed 1.5m;</p> <p>(iv) The maximum slope of the resulting cut or batter face in stable ground does not exceed 1:2 (1m vertical to 2m horizontal);</p> <p>(v) Areas exposed by the earthworks are re-vegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks;</p> <p>(vi) Sediment is retained on the site through implementation and maintenance of erosion and sediment controls;</p> <p>(vii) The earthworks do not divert or change natural water flows, water bodies or established drainage paths.</p>			
D1	Earthworks that do not comply with Rule 21.2.5.3 P1			

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> <ol 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) <u>Earthworks involving imported fill material (excluding cleanfill material) for purposes other than creating a building platform within a site, that:</u></p> <ul style="list-style-type: none"> (i) <u>are located more than 1.5 metres from any water body, open drain or overland flow path</u> (ii) <u>do not exceed a volume of 10,000m³</u> (iii) <u>do not exceed a slope in stable ground of 1:2 (1 metre vertical to 2 metre horizontal)</u> (iv) <u>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</u> (v) <u>result in sediment being retained on the site through implementation and maintenance of erosion and sediment controls</u> (vi) <u>do not result in any change to natural water flows, any water body or established drainage path.</u>
RDI	<p>(a) <u>Earthworks that do not comply with Rule 21.2.4.1 P1, P2 or P3</u></p> <p>(b) <u>Council's discretion is restricted to the following matters:</u></p> <ul style="list-style-type: none"> (i) <u>amenity values and landscape effects</u> (ii) <u>volume, extent and depth of earthworks</u> (iii) <u>nature of fill material</u> (iv) <u>contamination of fill material</u> (v) <u>location of the earthworks in relation to any water body, significant indigenous vegetation and habitat</u> (vi) <u>compaction of the fill material</u> (vii) <u>volume and depth of fill material</u> (viii) <u>protection of the Hauraki Gulf Catchment Area</u> (ix) <u>geotechnical stability</u> (x) <u>flood risk, including natural water flows and established drainage paths</u> (xi) <u>land instability, erosion and sedimentation.</u>

21.2.4.2 Earthworks – within Significant Natural Areas

P1	<p>(a) <u>Earthworks for the maintenance of existing tracks, fences or drains within an identified Significant Natural Area that:</u></p> <ul style="list-style-type: none"> (i) <u>do not exceed a volume of 50m³ in a 12 month period</u> (ii) <u>do not exceed an area of 250m² in a 12 month period</u> (iii) <u>do not involve importing any fill material</u> (iv) <u>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)</u> (v) <u>result in sediment being retained on the site through implementation and maintenance of erosion and sediment controls</u> (vi) <u>do not result in any change to natural water flows, any water body or established drainage path.</u>
RDI	<p>(a) <u>Earthworks that do not comply with Rule 21.2.4.2 P1.</u></p> <p>(b) <u>Council's discretion is restricted to the following matter:</u></p> <ul style="list-style-type: none"> (i) <u>the extent to which the aesthetic and ecological values of the Significant Natural Area are maintained.</u>

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 border="1" data-bbox="383 336 1260 761"> <thead> <tr> <th data-bbox="383 336 678 436">Landscape or Natural Character Area</th> <th data-bbox="678 336 965 436">Area (m²)</th> <th data-bbox="965 336 1260 436">Volume (m³)</th> </tr> </thead> <tbody> <tr> <td data-bbox="383 436 678 504">Significant Amenity Landscape</td> <td data-bbox="678 436 965 761" rowspan="4" style="text-align: center; vertical-align: middle;">50</td> <td data-bbox="965 436 1260 761" rowspan="4" style="text-align: center; vertical-align: middle;">250</td> </tr> <tr> <td data-bbox="383 504 678 593">High Natural Character Area or Outstanding Natural Character Area</td> </tr> <tr> <td data-bbox="383 593 678 660">Outstanding Natural Feature</td> </tr> <tr> <td data-bbox="383 660 678 761">Outstanding Natural Landscape</td> </tr> </tbody> </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 (m²)	Volume (m³)	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 (m²)	Volume (m³)								
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>									

21.2.6 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 Industrial Zone Heavy in Table 5.1 contained within Appendix 5 (Hazardous Substances).</p>
P2	<p>(a) The storage or use of radioactive materials 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 the following maximum volumes of fuel for retail sale within a service station:</p> <p>(i) 100,000 litres of petrol in underground storage tanks;</p> <p>(ii) 50,000 litres of diesel in underground storage tanks; and</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; potential hazards and exposure pathways arising from the proposed facility, including cumulative risks with other facilities;</p> <p>B. interaction with natural hazards (flooding, instability), as applicable, proposed emergency management planning (spills, fire and other relevant hazards);</p> <p>(ii) Procedures for the monitoring and reporting of incidents.</p>

D1	The use, storage or disposal of any hazardous substance that does not comply with Rules 21.2.6 P1, P2 or C1.
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21.2.5 Hazardous substances

P1	(a) The use, storage or disposal of any hazardous substance where: (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).
P2	(a) The storage or use of radioactive materials that 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.
C1	(a) The storage of fuel for retail sale at a service station where the following volumes are not exceeded: (i) 100,000 litres of petrol in underground storage tanks (ii) 50,000 litres of diesel in underground storage tanks (iii) 6 tonnes of LPG (single vessel storage). (b) Council reserves 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 B. potential hazards and exposure pathways arising from the proposed facility, including cumulative risks with other facilities C. interaction with natural hazards (flooding, instability), as applicable 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.

21.2.7 Signs

- (1) Rule 21.2.7.1 Signs – General provides permitted standards for any sign, including real estate signs, across the entire Heavy Industrial Zone.
- (2) Rule 21.2.7.2 Signs – Effects on traffic apply specific standards for signs that are directed at road users.

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 21.2.6.2 Signs – Effects on traffic, states conditions for a sign directed at road users.

21.2.7.1 Signs—General

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 15m; (ii) 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; (iii) Where the sign is attached to a building, it must: <ul style="list-style-type: none"> A. not extend more than 300mm from the building wall; and B. not exceed the height of the building; (iv) Where the sign is a freestanding sign, it must: <ul style="list-style-type: none"> A. not exceed an area of 3m² for one sign per site, and 1m² for any other freestanding sign on the site; and B. be set back at least 5m from the boundary of any site in any Residential Zone or Reserve Zone; (v) The sign is not attached to a heritage item listed in Schedule 30.1 (Heritage Items) except for the purpose of identification and interpretation; (vi) The sign is not attached to a Maaori site of significance listed in Schedule 30.3 (Maaori Sites of Significance) except for the purpose of identification and interpretation; (vii) The sign relates to: <ul style="list-style-type: none"> A. goods or services available on the site; or B. 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 no more than 1 sign per agency; (iii) the sign is not illuminated; (iv) the sign does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials;
RD1	<p>(a) A sign that does not comply with Rule 21.2.7.1 P2 or P3.</p> <p>(b) Council's discretion is 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; (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 Maaori Site of Significance; (viii) effects on notable architectural features of the building.

21.2.7.2 Signs - effects on traffic

P1	<p>(a) Any sign directed at road users must:</p> <ul style="list-style-type: none"> (i) not imitate the content, colour or appearance of any traffic control sign; (ii) be located at least 60m from controlled intersections, pedestrian crossings and another advertising sign; (iii) not obstruct sight lines of drivers turning into or out of a site entrance and intersections; (iv) contains no more than 40 characters and no more than 6 symbols; (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.
D1	Any sign that does not comply with Rule 21.2.7.2 P1.

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
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"> (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

21.2.8 Outdoor storage of goods or materials

PI	<p>(a) Outdoor storage of goods or materials must comply with all of the following conditions:</p> <ul style="list-style-type: none"> (i) be associated with the industrial 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 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 21.2.8 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 and pedestrian safety.

21.2.9 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	<p>Removal of up to 5m³ of manuka and/or lanuka outside of the Coastal Environment per single consecutive 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</p>

	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 250m².
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. 1500m² for a Marae complex, including areas associated with access, parking and manoeuvring; and B. 500m² per dwelling, including areas associated with access, parking and manoeuvring; and C. 500m² for a papakainga 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 any of the following purposes: (i) Removing vegetation that endangers human life or an existing building 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 5m³ of manuka and/or kanuka outside of the Coastal Environment per year 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 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 Rule 21.2.9 P1, P2, P3, P4, P5 or P6.

21.2.7 Indigenous vegetation clearance within a Significant Natural Area

P1	(a) <u>Indigenous vegetation clearance in a Significant Natural Area for any of the following purposes:</u> (i) <u>clearance of indigenous vegetation that endangers human life or any existing building or structure;</u> (ii) <u>conservation fencing to exclude stock or pests</u> (iii) <u>maintenance of existing farm drains</u> (iv) <u>maintenance of existing tracks and fences</u> (v) <u>gathering of plants in accordance with Maaori customs and values.</u>
P2	(a) <u>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.</u>
P3	(a) <u>Indigenous vegetation clearance for building, access, parking and manoeuvring areas in a Significant Natural Area where:</u> (i) <u>there is no alternative development area on the site outside the Significant Natural Area; and</u> (ii) <u>the area of indigenous vegetation clearance does not exceed 250m².</u>
P4	(a) <u>On Maaori Freehold Land or Maaori Customary Land, indigenous vegetation clearance in a Significant Natural Area where:</u>

	<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 papakaainga building including areas associated with access, parking and manoeuvring.
P5	<ul style="list-style-type: none"> (a) On Maaori Freehold Land or Maaori Customary Land, indigenous vegetation clearance within a Significant Natural Area for any of the following purposes: <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.

21.3 Land Use - Building

21.3.1 Height – General

P1	<ul style="list-style-type: none"> (a) The maximum height of any building may be up to: <ul style="list-style-type: none"> (i) 35m for 2% of the net site area; and (ii) 20m over the balance of the net site area.
RD+	<ul style="list-style-type: none"> (a) A building that does not comply with Rule 21.3.1 P1 (b) Council's discretion is restricted to the following matter: <ul style="list-style-type: none"> (i) effects on amenity.

21.3.1 Building Height

P1	<ul style="list-style-type: none"> (a) A building that does not exceed a height of: <ul style="list-style-type: none"> (i) 35 metres for 2% of the net site area; and (ii) 20 metres over the balance of the net site area.
P2	<ul style="list-style-type: none"> (a) A building or structure on the Huntly Power Station site that does not exceed a height of: <ul style="list-style-type: none"> (i) 60 metres; and (ii) 35 metres over 90% of the site.
RD1	<ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (i) effects on amenity.

21.3.2 Building height in an Outstanding Natural Feature or Significant Amenity Landscape.

P1	The maximum height of a building must not exceed 5m in an Outstanding Natural Feature.
P2	The maximum height of a building must not exceed 7.5m in a Significant Amenity Landscape.
DI	A building that does not comply with Rule 21.3.2 P1 or P2.

21.3.2 Building, structure or vegetation within battlefield viewshafts

P1	(a) A building, structure or vegetation within a battlefield viewshaft identified on the planning maps that does not obscure views of: <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (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

P1	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: <ul style="list-style-type: none"> (i) the extent to which the amenity values of the identified feature or landscape are maintained.

21.3.3 Daylight admission

P1	(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: <ul style="list-style-type: none"> (i) 45 degrees commencing at an elevation of 2.5m above ground level at every boundary of the Heavy Industrial Zone with any other zone; (ii) 37 degrees commencing at an elevation of 2.5m above ground level at every boundary of the Heavy Industrial Zone with any other zone between south-east or south-west of the building, structure, sign, stack or stockpile.
RDI	(a) A building, structure, sign, or any stack or stockpile of goods or materials that does not comply with Rule 21.3.3 P1. (b) Council's discretion is restricted to the following matter: <ul style="list-style-type: none"> (i) effect on amenity.

21.3.4 Height in relation to boundary

P1	(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: <ul style="list-style-type: none"> (i) effect on amenity

21.3.4 Building setbacks

- (1) [Rule 21.3.4.1](#) provides the permitted building setbacks from all boundaries.
- (2) [Rule 21.3.4.2](#) provides the permitted building setbacks from water bodies.

21.3.4.1 Building setbacks – all boundaries

PI	(a) A building must be set back at least: <ol style="list-style-type: none"> (i) 5m from a road boundary; and (ii) 7.5m from any other boundary where the site adjoins another zone, other than the Industrial Zone.
RD+	(a) A building that does not comply with Rule 21.3.4.1 ; (b) Council's discretion is restricted to the following matters: <ol style="list-style-type: none"> (i) effects on amenity values; (ii) effects on streetscape; and (iii) traffic and road safety.

21.3.4.2 Building setback – water bodies

P1	(a) Any building must be set back a minimum of 30m from: <ol style="list-style-type: none"> (i) the margin of any: <ol style="list-style-type: none"> A. lake; B. wetland; and C. river bank other than the Waikato River and Waipa River.
P2	Any building must be set back at least 50m from the bank of the Waikato River and Waipa River.
P3	Any 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 Rules 21.3.4.2 P1, P2 or P3 .
D+	Any building that does not comply with Rules 21.3.4.2 P1, P2, P3 or P4 .

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	(a) A building that is set back at least: <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.
RD1	(a) A building that does not comply with Rule 21.3.5.1 P1 ; (b) Council's discretion is restricted to the following matters: <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

P1	(a) A building that is set back a minimum of 30 metres from: <ul style="list-style-type: none"> (i) a lake margin (ii) a wetland that is identified on the planning maps (iii) the bank of a river, other than the Waikato River and Waipa River, whose bed has an average width of 3 metres or more.
P2	A building that is set back at least 50 metres from a bank of the Waikato River and Waipa River.
P3	(a) A building that is set back a minimum of 10 metres from: <ul style="list-style-type: none"> (i) the bank of a perennial or intermittent stream whose bed has an average width of less than 3 metres (ii) a wetland that is not identified on the planning maps.
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 P1, P2 and P3.
RD1	(a) Any building that does not comply with Rule 21.3.5.2 P1, P2, P3 or P4. (b) Council's discretion is restricted to the following matters: <ul style="list-style-type: none"> (i) the extent to which the natural character values of the water body or wetland are maintained.

21.3.5 Building, structure or vegetation within battlefield Viewshafts

P1	(b) A building, structure or vegetation within a battlefield viewshaft identified on the planning maps must not obscure views of: <ul style="list-style-type: none"> (iii) the Waikato River; or (iv) the Whangamarino Redoubt from Meremere Paa/Redoubt.
D1	A building or structure that does not comply with Rule 21.3.5 P1.

21.4 Subdivision

- (1) Rules 21.4.1 Subdivision – General provides for subdivision density.
- (2) Other subdivision provisions are contained in:
 - (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

RD1	(a) Subdivision must comply with all of the following conditions: <ul style="list-style-type: none"> (i) proposed lots must have a minimum net site area of 1000m²; (ii) proposed lots must have an average net site area of at least 2000m² and (iii) no more than 20% rear lots are created.
RD2	(a) Council's discretion is restricted to the following matters: <ul style="list-style-type: none"> (i) the extent to which a range of future activities can be accommodated; and (ii) amenity values.

21.4.2 Subdivision – Boundaries for Records of Title

RD1	(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 daylight admission, except to the extent of any non-compliance that existed lawfully prior to
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	<p>the subdivision; and</p> <p>(ii) no contaminated land, archaeological site, or wetland is divided between any proposed lots.</p> <p>(b) Council's discretion is restricted to the following matters:</p> <p>(i) amenity;</p> <p>(ii) effects on contaminated land;</p> <p>(iii) effects on any wetland;</p> <p>(iv) effects on any archaeological site; and</p> <p>(v) the extent to which a range of future activities can be accommodated.</p>
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21.4.3 Subdivision – Road frontage

RD1	<p>(a) Any proposed lot must have a road frontage of least 15m.</p> <p>(b) Rule RD1(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> <p>(i) traffic effects; and</p> <p>(ii) amenity and streetscape.</p>
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21.4.4 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) from every proposed lot:</p> <p>(a) less than 4ha and within 20m of any:</p> <p>A. mean high water springs;</p> <p>B. bank of any river whose bed has an average width of 3m or more; or</p> <p>C. lake whose bed has an area of 8ha or more; or</p> <p>(b) 4ha or more and within 20m of mean high water springs; or a water body identified in Appendix 4 (Esplanade Priority Areas)</p> <p>(b) Council's discretion is restricted to the following matters:</p> <p>(i) the type of esplanade provided – reserve or strip;</p> <p>(ii) width of the esplanade reserve or strip;</p> <p>(iii) provision of legal access to the esplanade reserve or strip;</p> <p>(iv) matters provided for in an instrument creating an esplanade strip or access strip;</p> <p>(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</p> <p>(vi) costs and benefits of acquiring the land.</p>
D1	<p>Subdivision that does not comply with Rule 21.4.4 RD1.</p>

21.4.5 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 matters:</p> <p>(i) effects on the Significant Natural Area</p>
NG1	<p>Subdivision that does not comply with Rule 21.4.5 RD1.</p>

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	<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) have an average net site area of at least 2000m² and (iii) 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 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	<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; and (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 any condition in Rule 21.4.2 RDI.

21.4.3 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 RDI(a) does not apply to a 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 21.4.3 RDI.

21.4.4 Subdivision - Esplanade Reserves and Esplanade Strips

RDI	(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:
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	<p>A. <u>mean high water springs;</u></p> <p>B. <u>the bank of any river whose bed has an average width of 3 metres or more</u></p> <p>C. <u>a lake whose bed has an area of 8ha or more.</u></p> <p>(b) <u>Council's discretion is restricted to the following matters:</u></p> <p>(i) <u>the type of esplanade provided - reserve or strip</u></p> <p>(ii) <u>width of the esplanade reserve or esplanade strip</u></p> <p>(iii) <u>provision of legal access to the esplanade reserve or esplanade strip</u></p> <p>(iv) <u>matters provided for in an instrument creating an esplanade strip or access strip</u></p> <p>(v) <u>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</u></p> <p>(vi) <u>layout and design in regard to the effects on the operation, maintenance, upgrading and development of existing infrastructure assets</u></p> <p>(vii) <u>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.</u></p>
D1	<u>Subdivision that does not comply with Rule 21.4.4 RDI</u>

21.4.5 Subdivision - Significant Natural Areas

RDI	<p>(a) <u>Subdivision of a site containing a Significant Natural Area, must not divide the Significant Natural Area.</u></p> <p>(b) <u>Council's discretion is restricted to the following matter:</u></p> <p>(i) <u>effects on protection and management of the Significant Natural Area</u></p>
D1	<u>Subdivision that does not comply with Rule 21.4.5 RDI</u>

