

Hearing 7: Industrial Zone & Heavy Industrial Zone

Attachment 10

Background information to
Horotiu Industrial Park



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Schedule 24B Waikato Section of OWDP

The following Schedule 24B provisions in the OWDP apply to the Horotiu Industrial Park.

Schedule 24B - Horotiu Industrial Park

24B.1 Application of the Schedule

In this schedule:

“Horotiu Industrial Park” means the land shown on the Planning Maps and in Figure 24B(A).

“Bunding Area” means the Horotiu Industrial Park Bunding as shown in Figure 24B(B).

“Substage” means Stages 3A, 3B and 3C as shown on the Planning Maps and in Figure 24B(A).

“Stage” means Stages 1, 2 and 3 as shown on the Planning Maps and in Figure 24B(A).

“Proposed Horotiu Road Intersection” means the proposed road intersection shown on Figure 24B(C).

24B.2 General Rules

1. The rules in the schedule apply only to areas identified for industrial purposes in the Horotiu Industrial Park.
2. Rules 24.15, 24.18, 24.19, 24.42, 24.45, 24.48A and 24.70 do not apply to the Horotiu Industrial Park. All other Rules in Chapter 24: Industrial Zone and other parts of the District Plan apply to the Horotiu Industrial Park except where they are inconsistent with a rule in this Schedule in which case the rule in this Schedule takes precedence.
3. All Rural Zone provisions (excluding the Rural Subdivision Rules) will apply to development or use of land within the Horotiu Industrial Park prior to that land being subdivided or developed for industrial purposes in accordance with Rule 24B.2.1 above. Rural Zone provisions will not apply to any land within the Horotiu Industrial Park after the land is subdivided or developed for industrial purposes.

The following Issue, Objective, Policies, and Reasons and Explanations are in addition to, and should be read in conjunction with, the Issues, Objectives, Policies, and Reasons and Explanations in Chapter 8 Land Transport Network.

24B.3 Issue - Industrial Development in the Horotiu area

Industrial development in the Horotiu Industrial Park, in the absence of appropriate infrastructure, can cause adverse effects on the environment.

OBJECTIVE	POLICIES
24B.4 Industrial development is consistent with the long-term land use pattern for Horotiu and occurs in an integrated and coordinated manner.	24B.5 Industrial development in the Horotiu Industrial Park should be encouraged in a manner that aligns with the capacity improvements to the infrastructure, including roading.

	<p>24B.6</p> <p>Industrial development, prior to the required infrastructure capacity improvements being completed, should be managed in order to avoid, remedy or mitigate adverse effects on the existing and future planned road network, connections to that network, and on other infrastructure.</p>
	<p>24B.7</p> <p>Traffic and transportation effects should be managed through land use planning, peak traffic generation controls and integrated, multi modal transport approaches to ensure industrial development at the Horotiu Industrial Park does not adversely affect the safety and efficiency of the wider roading network.</p>

24B.8 Reasons and Explanations

Horotiu contains an established industrial area. Future Proof, the growth strategy developed specific to the Waikato Sub-Region incorporating the Waikato District, Hamilton City, and Waipa District, has identified that unplanned and uncoordinated land use development within the Future Proof Strategy area is causing adverse environmental effects and affecting the ability of people and communities in the area to provide for their social, economic and cultural wellbeing. Therefore the development of the built environment in the future needs to be managed in a way that ensures the pattern of land use is integrated, planned, and sustainable in the long term. To this end, Future Proof has developed a land use pattern for unified and sustainable growth of the urban and rural areas of the region. The land use pattern is defined to meet the requirements of the projected population growth for the next 50 years. Future Proof has identified Horotiu as a suitable area for a staged release of land in conjunction with staged improvements to the transport network and other infrastructure.

The Horotiu Industrial Park has a number of strategic strengths that support its development for industrial purposes. These strengths include its proximity to the Waikato Expressway, the existing State Highway 1 and the North Island Main Trunk Railway and its relative separation from sensitive residential activities. The Waikato Expressway provides an appropriate boundary to the south of the area and services can be provided to the industrial areas by upgrading existing Council infrastructure.

The boundary of the Horotiu Industrial Park is not affected by changes to the Waikato District/Hamilton City boundary, which are proposed to result in the Waikato Expressway forming the boundary between the two local authorities. The area is well suited to a mix of light and heavy industrial activities, provided environmental mitigation measures are included to protect the amenity of the adjacent Living and Rural zones.

However, development of Horotiu Industrial Park also needs to be designed and undertaken recognising capacity constraints within the State highway and District roading networks. An integrated approach to transport on the State highways and the local roads through walkways, cycle routes and public passenger transport is especially important in the Horotiu Industrial Park area in order to avoid or mitigate traffic effects on the wider roading network.

The objective and policies for the Horotiu Industrial Park are therefore designed to establish a staging regime for industrial development based upon development being undertaken in conjunction with appropriate infrastructure. An Indicative Development Plan for each stage or sub-stage is required to be approved by the Council in advance of any subdivision or development in order to ensure that development occurs in an integrated manner and thus does not rely on 'lot by lot' development.

The Indicative Development Plans for Horotiu Industrial Park are intended to provide the guidance for the integrated and coordinated development of this land resource. The aim of the Indicative

Development Plan is to set the parameters for the establishment of activities so that sustainable and integrated industrial development is achieved. Subdivision and land use proposals will be assessed in the context of their conformity with an approved Indicative Development Plan. Proposals which are in conformity with an Indicative Development Plan will be encouraged through a permissive planning regime, whereas those not in conformity will be discouraged through more restrictive tools, such as a discretionary activity status.

The Indicative Development Plan requires a range of information to be submitted and approved by Council, including an Integrated Traffic Assessment which will address how development in each stage will manage its peak hour demands and other traffic and transportation effects. The rules of this Schedule outline the matters to be addressed in the Indicative Development Plan and the Integrated Traffic Assessment.

24B.9 Methods of Implementation

A staged release of land for industrial development in accordance with the provision of appropriate infrastructure, including roading, has been developed. Staging will ensure that the effects of development can be properly managed. Accordingly, the land for developing Stages 1 and 2 will be released prior to January 1, 2021 and Stage 3 (A, B, and C) will be released after January 1, 2021 or when the roading infrastructure projects as identified in the rules are constructed (if earlier).

Rules to control bulk, height, and setbacks of buildings, landscaping, traffic and transportation and environmental protection are included to mitigate effects on the environment. The focus of the environmental mitigation is particularly relevant to the Living Zone section of Horotiu Road, and the Rural zoned areas across Horotiu Bridge Road, around Horotiu Primary School, and the eastern side boundary of Stage 3C. The rules also require plans of each stage to be approved prior to subdivision and development to ensure a consistent integrated approach between stages and within stages and to ensure mitigation of effects of development on the roading and other infrastructure networks.

Rule Table for Horotiu Industrial Park

Indicative Development Plan Rule - Subdivision and Land Use

ITEM	PERMITTED	RESOURCE CONSENT
24B.10 Land Use and Development	24B.10.1 Any activity that is consistent with an Indicative Development Plan is a permitted activity, if it: complies with the rules in this Schedule.	24B.10.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity

ITEM	CONTROLLED	RESOURCE CONSENT
24B.11 Subdivision	24B.11.1 Subdivision consistent with an Indicative Development Plan is a controlled activity. Control reserved over: ▪ amenity values	24B.11.2 Subdivision that does not comply with a condition for a controlled activity is a discretionary activity
24B.12 Indicative Development Plan All stages	24B.12.1 An Indicative Development Plan is a controlled activity, if (a) it is prepared and approved for each stage or stages prior to any subdivision or development occurring in that stage or stages, and; (b) it includes as a minimum the following matters: (i) overall indicative site layout (ii) indicative location of proposed	24B.12.2 An Indicative Development Plan that does not comply with a condition for a controlled activity is a discretionary activity. Where a traffic survey undertaken under Rule 24B.17 shows that the trip generation for a particular stage is being

ITEM	CONTROLLED	RESOURCE CONSENT
	<p>building/s where known and complying with Rule 24B.23 except that a setback of not less than 10m from the designated boundary of the Waikato Expressway may be provided if the following information is included:</p> <ul style="list-style-type: none"> ▪ record of consultation with the New Zealand Transport Agency outlining any agreed outcomes; ▪ information as to the rationale and appropriateness of reducing the setback requirements; and ▪ any mitigation measures relating to amenity; and <p>(iii) indicative internal road layout including consistency with the road layout shown on Figures 24B(A) and 24B(C) and connectivity with other stages and with any adjacent industrial zoned areas; and</p> <p>(iv) provision for alternative transport modes including public transport, pedestrians and cycle linkages within and between stages and with adjacent land; and</p> <p>(v) proposed landscaping and screen planting including landscaping buffers where the land adjoins Rural or Living Zone land and consistency of landscape approach across all stages and, where the land adjoins the designated boundary of the Waikato Expressway:</p> <ul style="list-style-type: none"> ▪ record of consultation with the New Zealand Transport Agency outlining any agreed landscaping outcomes; ▪ information explaining the rationale and appropriateness of providing any landscaping that does not comply with Rule 24B.28.1(b); and <p>(vi) indicative accesses from the arterial and State highway networks to the stage (which must also be compliant with Appendix A (Traffic)); and</p> <p>(vii) for Stage 2, design of the access road (indicative) and its intersection with Horotiu Road as shown on Figure 24B(A) and Figure 24B(C) 'Proposed Horotiu Road Intersection', including whether this intersection is more appropriately constructed as part of Stage 2 or Stage 3; and</p> <p>(viii) anticipated traffic generation into and</p>	<p>exceeded then the Indicative Development Plan for the next subsequent stage shall be a discretionary activity.</p> <p>Discretionary activity criteria shall include but not limited to the extent to which the Indicative Development Plan is designed to achieve an overall trip generation not exceeding 15.4 trips/ha gross for the total combined Stages 1, 2, and 3.</p>

ITEM	CONTROLLED	RESOURCE CONSENT
	<p>out of each stage based on the activities provided for and having regard to traffic generation from previous stages (including by reference to any applicable traffic generation survey prepared in accordance with Rule 24B.17); and</p> <p>(ix) an Integrated Transport Assessment in accordance with Appendix 5C of NZ Transport Agency Planning Policy Manual SP/M/001 dated 1 August 2007 including:</p> <ul style="list-style-type: none"> ▪ record of consultation with the NZ Transport Agency outlining any agreed outcomes; and ▪ proposals to implement the mitigation measures relating to traffic volume and generation and other recommendations in the Integrated Traffic Assessment; and <p>(x) any existing indigenous vegetation and areas of ecological value including recognition of existing gully systems and proposals for their management; and</p> <p>(xi) evidence of consultation with all landowners within the Stage; and</p> <p>(xii) proposed implementation of Low Impact Design initiatives including but not limited to those matters contained in section 4.3.7 and sections 4.3.9 to 4.3.13 of NZS 4404:2010 Land Development and Subdivision Infrastructure.</p>	
	<p>Control reserved over:</p> <ul style="list-style-type: none"> ▪ safety and efficiency of the road network, including the design of the access road (indicative) and its intersection with Horotiu Road shown on Figure 24B(A) and Figure 24B(C) to determine whether construction should commence as part of Stage 2 or Stage 3. ▪ the findings of any traffic generation survey prepared in accordance with Rule 24B.17 and undertaking such a survey at 60% capacity; ▪ provision for public transport, pedestrian and cycle linkages; ▪ maintenance of amenity and streetscape; ▪ management of storm water and wastewater; and <p>proposed planting adjoining the designation boundary of the Waikato Expressway taking into account any information provided under Rule 24B.12.1(b)(v).</p>	

Land Use Staging

ITEM	PERMITTED	RESOURCE CONSENT
24B.13 Stage 1	<p>24B.13.1</p> <p>Any activity is a permitted activity, if:</p> <ul style="list-style-type: none"> (a) it complies with an approved Indicative Development Plan in accordance with Rule 24B.10.1 and 24B.12; and (b) the area does not exceed 26ha; and (c) the construction of the Horotiu Access to State Highway 1 is completed; and (d) all access to State Highway 1 is from the Horotiu Access; and (e) water supply infrastructure (including supply, storage, connection, and capacity for fire fighting) is available at the site boundary; and (f) wastewater disposal infrastructure (including sufficient downstream capacity, treatment facilities and connections) is available at the site boundary. 	<p>24B.13.2</p> <p>Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p> <p>Discretionary criteria shall include, in addition to any other criteria in the plan, the following:</p> <p>The extent to which compliance is achieved with the approved Indicative Development Plan for Stage 1.</p> <ul style="list-style-type: none"> ▪ The extent to which the proposal is consistent with the sequential and coherent development of the Horotiu Industrial Park. ▪ The availability of interim facilities or measures to enable the subdivision or development to proceed in advance of the indicated sequence of development and the time before permanent facilities will be in place. ▪ The availability and capacity of bulk infrastructure and arterial roads to service the developments. ▪ Whether interim or alternative measures would adequately service the development without increasing the cost of eventual bulk infrastructure and arterial roading. ▪ Matters referred to in Appendix A (Traffic) and Appendix B (Engineering Standards). ▪ The extent to which the proposal is consistent with mitigation measures relating to the traffic volume and generation prescribed for the stage in the Integrated Traffic Assessment prepared and

		approved as part of the Indicative Development Plan.
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ITEM	PERMITTED	RESOURCE CONSENT
24B.14 Stage 2	<p>24B.14.1</p> <p>Any activity is a permitted activity, if:</p> <ul style="list-style-type: none"> (a) it complies with an approved Indicative Development Plan in accordance with Rule 24B.10.1 and 24B.12; and (b) the area does not exceed 30ha, and (c) the construction of the Horotiu Access to State Highway 1 is completed; and (d) the construction of Horotiu Industrial Link Road and the construction of the Horotiu Industrial Link Road to Onion Road are completed; and (e) section 224 Certificates have been issued for at least 80% of the industrial sites subdivided in Stage 1; and (f) water supply infrastructure (including supply, storage, connection, and capacity for fire fighting) is available at the stage boundary; and (g) wastewater disposal infrastructure (including sufficient downstream capacity, treatment facilities and connections) is available at the stage boundary. 	<p>24B.14.2</p> <p>Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p> <p>Discretionary criteria shall include, in addition to any other criteria in the plan, the following:</p> <ul style="list-style-type: none"> ▪ The availability of interim facilities or measures to enable the subdivision or development to proceed in advance of the indicated sequence of development and the time before permanent facilities will be in place. ▪ The availability and capacity of bulk infrastructure and arterial roads to service the developments. ▪ The extent to which the proposal is consistent with the sequential and coherent development of Stage 1 of the Horotiu area. ▪ Whether interim or alternative measures would adequately service the development without increasing the cost of eventual bulk infrastructure and arterial roading. ▪ Matters referred to in Appendix A (Traffic) and Appendix B (Engineering Standards). ▪ The extent to which the proposal is consistent with the mitigation measures relating to traffic volume and generation prescribed for the stage in the Integrated Traffic Assessment prepared and approved as part of the Indicative

ITEM	PERMITTED	RESOURCE CONSENT
		<p>Development Plan for the Stage.</p> <ul style="list-style-type: none"> ▪ The extent to which the roading network as shown in the Indicative Development Plan for Stages 1, 2, 3A, and 3B is completed. ▪ The extent to which the proposal is consistent with the Indicative Development Plan approved for the stage.
<p>24B.15 Stage 3 (Substages 3A, 3B and 3C)</p>	<p>24B.15.1 Any activity is a permitted activity after 1 January 2021, if:</p> <ul style="list-style-type: none"> (a) it complies with an approved Indicative Development Plan in accordance with Rule 24B.10.1 and 24B.12; and (b) the area does not exceed 84ha; and (c) the Te Rapa section of the Waikato Expressway is open for public use, and for Stage 3C only the Ngaruawahia section of the Waikato Expressway is open for public use; and (d) section 224 certificates have been issued for at least 80% of the industrial sites subdivided in Stage 2; and (e) water supply infrastructure (including supply, storage, connection, and capacity for fire fighting) is available at the substage boundary; and (f) wastewater disposal infrastructure (including sufficient downstream capacity, treatment facilities and connections) is available at the substage boundary. 	<p>24B.15.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p> <p>Discretionary criteria shall include, in addition to any other criteria in the plan, the following:</p> <ul style="list-style-type: none"> ▪ The availability of interim facilities or measures to enable the subdivision or development to proceed in advance of the indicated sequence of development and the programming for permanent facilities to be put in place. ▪ The availability and capacity of bulk infrastructure and arterial roads to service the developments. ▪ The extent to which the proposal is consistent with the sequential and coherent development of Stage 1, Stage 2 and any substage of Stage 3 of the Horotiu Industrial Park. ▪ Whether interim or alternative measures would adequately service the development without increasing the cost of eventual bulk infrastructure and arterial roading. ▪ Matters referred to in Appendix A (Traffic) and Appendix B (Engineering Standards).

ITEM	PERMITTED	RESOURCE CONSENT
		<ul style="list-style-type: none"> ▪ The extent to which the proposal is consistent with the traffic volume and generation prescribed for the stage. ▪ The extent to which the roading network as shown in the Indicative Development Plan for Stages 1, 2, 3A, and 3B is completed. ▪ The extent to which the proposal is consistent with the Indicative Development Plan approved for the stage.

Land Use – Effects

ITEM	PERMITTED	RESOURCE CONSENT
24B.16 Traffic (all stages) <ul style="list-style-type: none"> ▪ Trip generation ▪ Access and parking 	24B.16.1 Any activity is a permitted activity if: <ol style="list-style-type: none"> (a) trip generation shall not exceed 15.4trips/ha gross land area/peak hour; and (b) access(es) from internal roads, entrances, parking, loading and manoeuvring shall be in accordance with Appendix A (Traffic); and (c) access to the arterial and/or State highway networks are generally in accordance with the indicative roading pattern shown in the approved Indicative Development Plan for the relevant stage. 	24B.16.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.
24B.17 Traffic survey <ul style="list-style-type: none"> ▪ All stages 	24B.17.1 Any activity is a permitted activity if: <ol style="list-style-type: none"> (a) when 60% of the industrial lots in a stage are occupied, a traffic survey shall be prepared by a suitably qualified person and submitted to the Council confirming that the traffic movements from all occupied industrial lots are in compliance with the trip generation standards set out in Rule 24B.16.1. 	24B.17.2 If the traffic generation survey demonstrates that the trip generation standards in Rule 24B.16.1 are being exceeded, then the Indicative Development Plan required by Rule 24B.12 for the next subsequent stage shall be a discretionary activity. <p>Discretionary criteria shall include, in addition to any other criteria in the plan, the following:</p> <ul style="list-style-type: none"> ▪ Subdivision and land use design in order to achieve an overall trip generation not exceeding 15.4 trips/ha gross land area/peak hour for the total combined Stage 1, 2 and 3 (A, B, & C) areas.

ITEM	PERMITTED	RESOURCE CONSENT
24B.18 Servicing and operation hours Activities within <ul style="list-style-type: none"> ▪ 50m of the Horotiu Road boundary ▪ 50m of the Stage 3C boundaries (excluding land abutting the Ngaruawahia Section of the Waikato Expressway and State Highway 1) 	24B.18.1 Any activity is a permitted activity, if: (a) the activity does not load or unload vehicles or receive customers or deliveries before 7.30am or after 6.30pm.	24B.18.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity. Discretionary activity criteria shall include, in addition to any other criteria in the plan, the extent to which the amenities of the Living Zone; the Rural Zoned areas across Horotiu Bridge Road; Horotiu Primary School; and the land adjoining the eastern boundary of Stage 3C are maintained.

ITEM	PERMITTED	RESOURCE CONSENT
24B.19 Noise	24B.19.1 Any activity is a permitted activity if it is designed and conducted so that noise from the activity measured at any other site: (a) does not exceed 75dBA (L10) at any time; and (b) in another zone (except the Living Zone) does not exceed <ul style="list-style-type: none"> (i) 55dBA (L10), 7am to 10pm (ii) 45dBA (L10) and 70dBA (Lmax), 10pm to 7am the following day; and (c) in the Living Zone does not exceed <ul style="list-style-type: none"> (i) 55dBA (L10), 7am to 10pm (ii) 40dBA (L10) and 70dBA (Lmax), 10pm to 7am the following day. Despite the above, construction noise and emergency sirens are not subject to this rule.	24B.19.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity. Discretionary activity criteria shall include, in addition to any other criteria in the plan, the extent to which the amenities of the Living Zone; the Rural Zoned areas across Horotiu Bridge Road; Horotiu Primary School; and the land adjoining the eastern boundary of Stage 3C are maintained.
24B.20 Landscaping	24B.20.1 Any activity is a permitted activity if land within: (a) 5m of the Horotiu Road boundary is planted and maintained with a 5m wide buffer strip of indigenous species that will achieve a height of at least 5m within 5 years and sufficient density to visually screen the activity from the Living Zone; and (b) 5m along the boundary abutting the Horotiu Primary School of Stage 3C is planted and maintained with a 5m wide buffer strip of indigenous species that will achieve a height of at least 3m within 5 years and sufficient density to visually screen the activity from the Horotiu Primary School.	24B.20.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity. Discretionary activity criteria shall include, in addition to any other criteria in the plan, the extent to which the amenities of the Living zone, and the Horotiu Primary School are maintained.

<p>24B.21 Stage 3A Bunding area (Figure 24B(B))</p>	<p>24B.21.1 Any activity is a permitted activity if:</p> <ul style="list-style-type: none"> (a) prior to any subdivision or development of the Stage 3A area, an earth bund is constructed generally in the location and of the form and height shown on Figure 24B(B); and (b) the earth bund is excluded from industrial development; and (c) the earth bund is planted and maintained with indigenous species that will achieve an average height of 3m within 5 years and sufficient density to visually screen the activity from the rural residential lots in the Farm Park described as Lots 1 – 17 DPS89684. 	<p>24B.21.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p> <p>Discretionary activity criteria shall include, in addition to any other criteria in the plan, the extent to which amenities of the rural residential lots in the Farm Park described as Lots 1 – 17 DPS89684 are maintained.</p>
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Land Use – Building

ITEM	PERMITTED	RESOURCE CONSENT
<p>24B.22 Building height</p>	<p>24B.22.1 Construction or alteration of a building or structure is a permitted activity, if:</p> <ul style="list-style-type: none"> (a) it is located in Stage 1, Stage 2, Stage 3A or Stage 3B, and it is <ul style="list-style-type: none"> (i) more than 400m from Horotiu Road; and (ii) height does not exceed 25m; and (iii) height does not exceed 15m over 90% of the site; and/or (b) height does not exceed <ul style="list-style-type: none"> (i) 15m; and (ii) 10m within 50m of Horotiu Road boundary; and (iii) 10m within 50m of Stage 3C boundaries (excluding land abutting the Ngaruawahia Section of the Waikato Expressway and State Highway 1) 	<p>24B.22.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p> <p>Discretionary activity criteria shall include, in addition to any other criteria in the plan, the extent to which the amenities of the Living zone and the Horotiu Primary School are maintained.</p>
<p>24B.23 Building setbacks</p>	<p>24B.23.1 Construction or alteration of a building is a permitted activity if the building is set back at least:</p> <ul style="list-style-type: none"> (a) 7.5m from the road boundary; and (b) 7.5m from any zone boundary; and (c) 10m from Te Rapa Road; and (d) 15m from the designated boundary of the Waikato Expressway provided that this setback may be reduced if it has been authorised by an Indicative Development Plan approved under Rule 24B.12; (e) 50m from any dwelling that existed on 3 February 2011 other than a dwelling on land within the Horotiu Industrial Park area that existed prior to that date; and (f) 5m from the Bunding Area (Fig 24B(B)). 	<p>24B.23.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p> <p>Discretionary activity criteria shall include, in addition to any other criteria in the plan, the extent to which the amenities of the Living Zone; the Horotiu Primary School; existing dwellings; and the Waikato Expressway are maintained.</p>

24B.24 Aerials	24B.24.1 Despite rules 24B.22 and 24.43 construction or alteration of an aerial and its support structures is a permitted activity if: (a) the height of the aerial or support structures do not exceed: (i) 15m; or (ii) 10m within 50m of the Horotiu Road boundary; or (iii) 5m more than the height of a building the aerial is mounted on, where that building is higher than 20m; and (b) no dish antennae exceeds 5m diameter, and no panel antennae exceeds 2.5m in any dimension.	24B.24.2 Any aerial or support structure that does not comply with a condition for a permitted activity is a discretionary activity.
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Subdivision

ITEM	CONTROLLED	RESOURCE CONSENT
24B.25 Indicative Development Plan ■ all stages	24B.25.1 Subdivision is a controlled activity if it is in accordance with the Indicative Development Plan for the stage approved under Rule 24B.12.	24B.25.2 Subdivision that is not in accordance with an approved Indicative Development Plan is a discretionary activity.
24B.26 Allotment size	24B.26.1 Subdivision is a controlled activity, if: (a) every allotment in Horotiu Industrial Park area has a net site area of at least 500m ² , excluding access allotments or utility allotments. Control reserved over: ■ amenity values	24B.26.2 Subdivision that does not comply with a condition for a controlled activity is a discretionary activity.
24B.27 Stage 3A Bunding Area (Figure 24B(B))	24B.27.1 Subdivision is a controlled activity, if: (a) prior to any subdivision or development of the Stage 3A area an earth bund is constructed generally in the location and of the form and height shown on Figure 24B(B). Control reserved over: ■ construction and maintenance of bund area ■ planting and maintenance of bund area	24B.27.2 Any activity that does not comply with a condition for a controlled activity is a discretionary activity. Discretionary Activity criteria shall include, in addition to any other criteria in the plan, the extent to which amenities of the rural residential lots in the Farm Park described as Lots 1 – 17 DPS89684 are maintained.
24B.28 Landscaping	24B.28.1 Subdivision is a controlled activity if: (a) any subdivision of land adjoining Horotiu Road includes a minimum 5m wide landscaping strip adjoining Horotiu Road (excluding access) to be planted and maintained with indigenous species that will achieve a height of at least 5m within 5 years and sufficient density to visually screen the land from the Living Zone.	24B.28.2 Any activity that does not comply with a condition for a controlled activity is a discretionary activity.

	<p>(b) any subdivision of land adjoining the designated boundary of the Waikato Expressway includes landscape planting and maintenance of indigenous species that will achieve an average height of 3m within 5 years and of sufficient density to visually screen the industrial activity from the Expressway in combination with any existing or proposed landscaping within the Expressway designation, unless the landscaping has been otherwise approved as part of an Indicative Development Plan under Rule 24B.12.</p>	
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Figure 24B(A) Staging Map – Horotiu Industrial Park

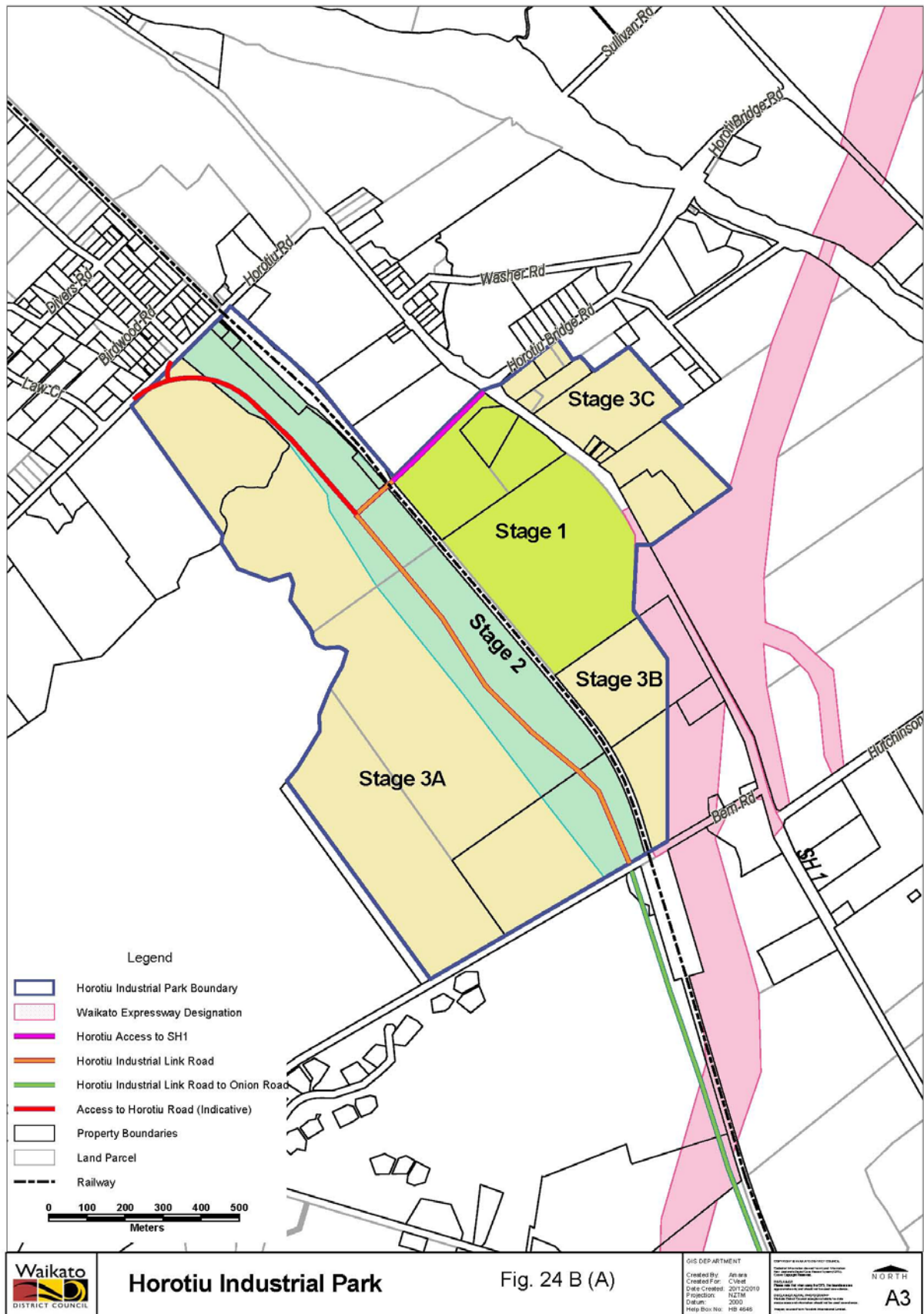


Figure 24B (B) Bunding Map – Horotiu Industrial Park

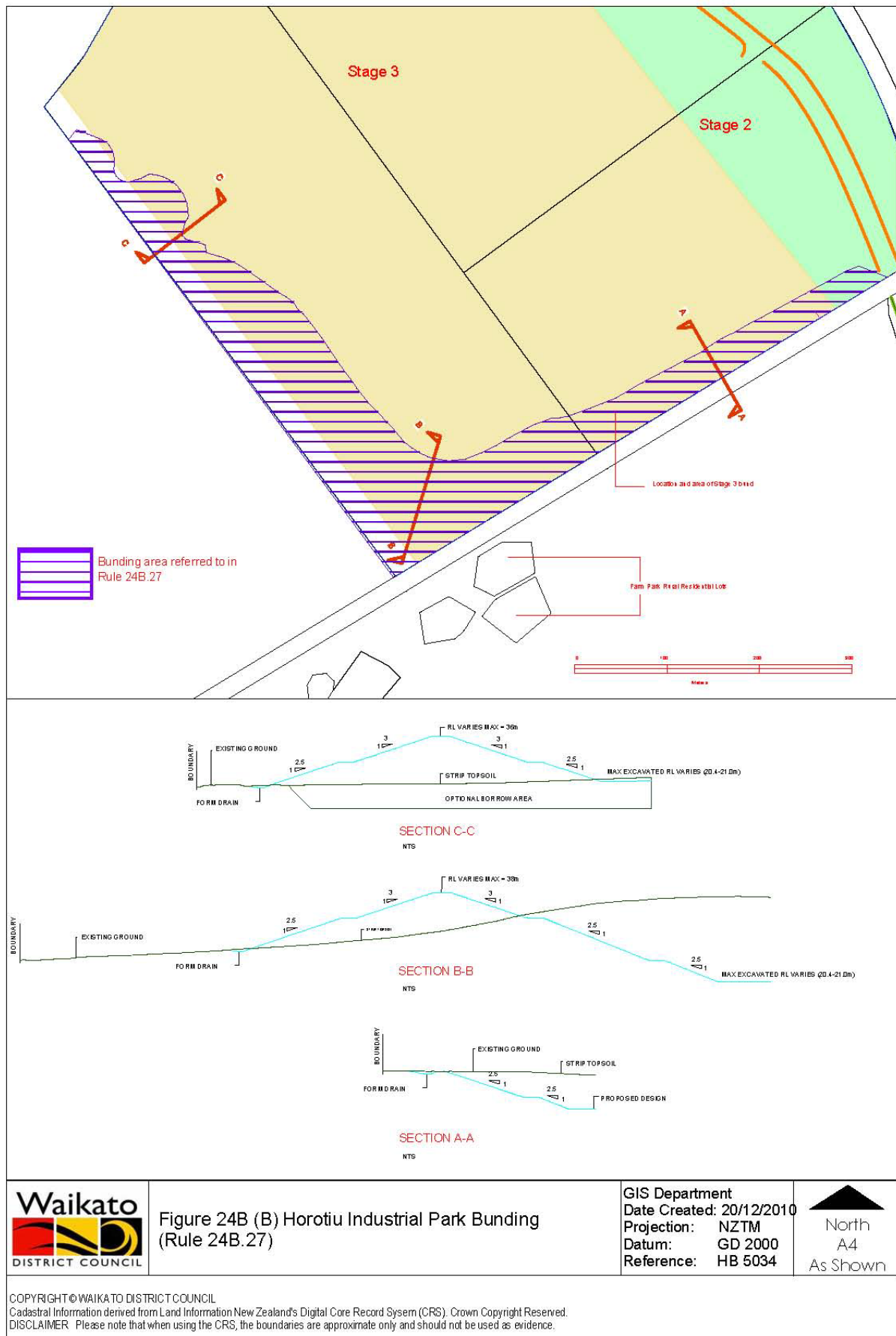
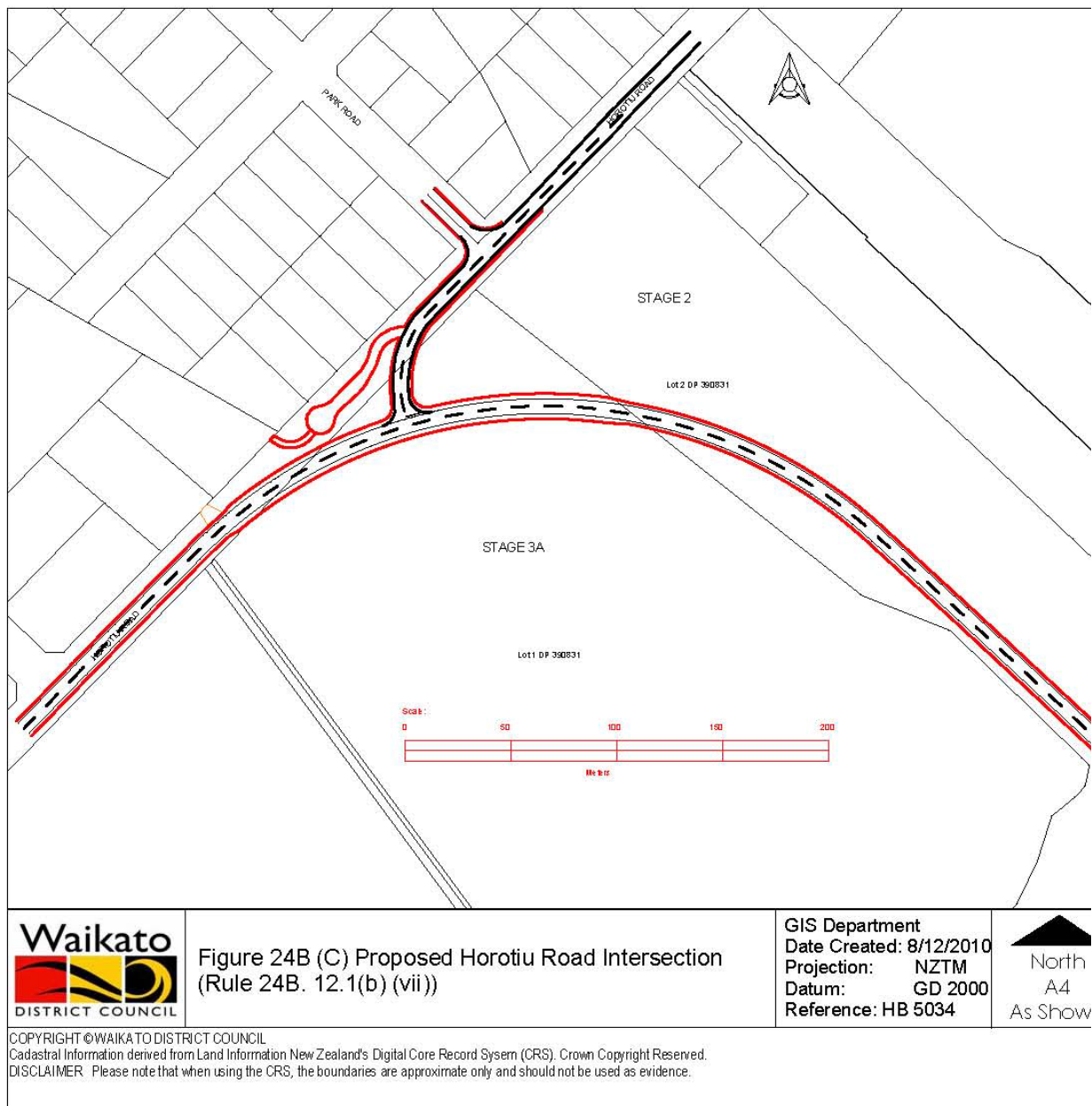


Figure 24B (C) – Proposed Horotiu Road Intersection (Rule 24B 12.1(b) (vii))



Ports of Auckland Limited Resource Consent 15 May 2017



(Resource Management Act 1991)

DECISION ON APPLICATION: LUC0131/17

Pursuant to Sections 34A(1), Section 104, 104B, and 108 of the Resource Management Act 1991, the Waikato District Council, under delegated authority, grants Land Use Consent for a Discretionary Activity to:

Activity: To establish an inland freight hub over two stages in the Horotiu Industrial Park Zone.

Applicant: Ports of Auckland Limited

Location Address: 51 Horotiu Road HOROTIU

Legal Description: LOT 16 DP 494347 comprised in Computer Freehold Register 723131

This consent is subject to the conditions detailed in the attached Schedule 1.

The reasons for this decision are detailed in the attached Schedule 2.

CONSENTS TEAM LEADER

Dated:

Schedule I

Conditions of Consent

Resource Consent No: LUC0131/17

Application Documents (Plans and Reference Documents)

- I. The activities permitted by this consent shall be carried out in general accordance with the plans and all information submitted with the application, detailed below, and all referenced by the Council as consent number LUC0131/17:
 - (a) the application for resource consent and the documents entitled “Application for Resource Consent & Assessment of Environmental Effects to establish an inland freight hub at the Horotiu Industrial Park, Horotiu” prepared by Bentley & Co. Limited, dated September 2016, and;
 - (b) the specialist reports detailed below:
 - (i) Integrated Transport Assessment August 2016 prepared by Bloxam Burnett & Olliver;
 - (ii) Horotiu Container Hub Lighting Assessment July 2016 prepared by MWH;
 - (iii) Preliminary Stormwater Assessment September 2016 prepared by Bloxam Burnett & Olliver;
 - (iv) Water and Waste Water Assessment September 2016 prepared by Bloxam Burnett & Olliver;
 - (v) Assessment of Ecological Effects Final Report prepared by Kessels Ecology;
 - (vi) Landscape and Visual Assessment Report prepared by Mansergh Graham Landscape Architects;
 - (vii) Waikato Freight Hub Noise Assessment 26 August 2016 prepared by Marshall Day Acoustics;
 - (viii) Additional Earthworks Assessment September 2016 prepared by Bloxam Burnett & Olliver;
 - (ix) Cultural Impact Assessment Report 2016 prepared by Turangawaewae; and
 - (c) the letter entitled “Request for further information – Land Use Consent to establish an Inland Freight Hub for Ports of Auckland Limited located at 51 Horotiu Road, Horotiu”, dated 18 November 2016; and
 - (d) the letter entitled “Land Use Consent to establish an Inland Freight Hub for Ports of Auckland Limited located at 51 Horotiu Road, Horotiu”, dated 11 January 2017; and
 - (e) the letter entitled “Land Use Consent to establish an Inland Freight Hub for Ports of Auckland Limited located at 51 Horotiu Road, Horotiu”, dated 7 February 2017; and

(f) the following plans:

Plan Title	Drawing number	Prepared by	Revision / issue	Dated
Waikato Freight Hub – Indicative Development Layout	I44000/00/P/0011	Bloxam Burnett & Olliver	C	14.06.16
North Gate – Horotiu – General – New Siding Layout – Model 4BB – North Gate – at 553 km NIMT – Conceptual Layout – Plan	KRN-TK-DRG-111769-SK901	KiwiRail	I	24-02-16
North Gate – Horotiu – General – New Siding Layout – Model 5 – North Gate – at 553 km NIMT – Conceptual Layout – Road 1 Profile	KRN-TK-DRG-111769-SK931	KiwiRail	I	24-02-16
Te Rapa Realignment Hamilton	GIS-G0000-408-01B	Firstgas	-	13/07/2016
Waikato Freight Hub – General Arrangement Plan & Long Section Sheet 1 (Road over rail bridge plans)	I44000/00/P/4002	Bloxam Burnett & Olliver	C	09/2016
Waikato Intermodal Hub – General Arrangement Part Long Section Sheet 2	I44000/00/P/4003	Bloxam Burnett & Olliver	A	07/2016
Waikato Freight Hub – Utility Services Concept Including Clearances at Rail Crossing	I44000/00/P/4090	Bloxam Burnett & Olliver	B	09/2016
Waikato Freight Hub – Total Site Cut/Fill Plan for Indicative Development Plan	I44000/00/-/0136	Bloxam Burnett & Olliver	A	05.08.16
Ports of Auckland Waikato Development Riparian Planting Plan	-	Kessels Ecology	-	26/08/2016
Ports of Auckland Ltd Waikato Intermodal Freight Hub – Spill Light Isolux Plot 25m Mounting Height	80509057-01-0101-L001	MWH	A	17/10/2016

Lapse period

2. Under section 125 of the RMA, this consent lapses ten years after the date it is granted unless:
 - (a) The consent is given effect to; or
 - (b) The Council extends the period after which the consent lapses.

Monitoring

3. The consent holder shall notify the Waikato District Council Monitoring Department in writing 10 working days prior to the commencement of activities associated with this consent.
4. Pursuant to Section 36 of the Resource Management Act 1991 the consent holder shall pay the actual and reasonable costs incurred by the Waikato District Council when monitoring the conditions of this consent.
5. Pursuant to section 128 to 131 of the Resource Management Act 1991, the Waikato District Council may review condition 27 of this consent at any time from the commencement of this consent for a five year period.

The Council shall serve notice on the Consent Holder of its intention to review any or all of the conditions of this consent for any of the following purposes:

- (a) To review the effectiveness of the conditions of this consent in avoiding, remedying, or mitigating any adverse effect on the environment that may arise from the exercise of this resource consent in relation to noise, and if necessary to avoid, remedy or mitigate such effects by way of further or amended conditions;
- (b) To address any adverse effects on the environment which have arisen as a result of the exercise of this consent that were not anticipated at the time of granting this consent, including addressing any issues arising out of complaints;
- (c) To review the adequacy of, and necessity for, any of the monitoring programmes or management plans that are part of the conditions of this consent;

The Council will undertake the review in consultation with the consent holder and the consent holder shall pay the actual and reasonable costs of the review pursuant to section 36 of the Resource Management Act 1991.

PRE-DEVELOPMENT CONDITIONS – ACCESS ROAD, OVERBRIDGE AND RETICULATED SERVICES

Requirements prior to construction

6. Prior to undertaking any works forming part of the resource consent, the Consent Holder is to appoint an Engineer* in accordance with Section I of the Hamilton Infrastructure Technical Specifications, for the duration of the works. It is the responsibility of this Engineer to:
 - (a) Supervise construction of the works;
 - (b) Arrange for the necessary testing and inspections;
 - (c) Complete the Inspection and Test Plan detailed in Appendix I (“ITP” plan);
 - (d) Identify any non-compliant work and arrange for correction;
 - (e) Certify Producer Statements for construction, and arrange for the certification of Producer Statements for specialized construction.

Advisory Notes:

For the purpose of this consent, ‘works’ is defined as ‘a task or tasks associated with constructing an access road (including overbridge) and/or reticulated service, but excludes earthworks’.

The Engineer* shall be a person who is commonly entitled to practise as a Chartered Professional Engineer (who has experience in engineering acceptable to Waikato District Council, and who carries professional indemnity insurance specific to the works he/she is supervising/certifying. Proof of insurance will be required).

The Engineer may delegate some of the quality assurance process to others (e.g. Contractor) however the Engineer shall remain responsible for certifying the quality and compliance of the Works.

Pre-Start Meeting

7. A pre-start meeting shall be held prior to the commencement of works associated with the roads and services forming part of the resource consent. The meeting is to be attended by the Engineer*, contractor's representative, any relevant specialist consultants and Council's representatives.

Items to be considered at this meeting will include but not be limited to the following:

- (a) Council's construction requirements;
- (b) The process for monitoring compliance and auditing (ITP plan);
- (c) Parks and environmentally significant areas and/or trees for preservation;
- (d) Water Reticulation and Sewage Pump Station Commissioning requirements (if applicable at each stage of the project);
- (e) Waikato Regional Council (WRC) Consents.
- (f) Construction Management Plan.

The pre-start meeting is a “Hold Point” and works may not proceed until the meeting is held and any further requirements identified during the meeting are satisfied. NB: A copy of the approved Engineering plans is required at this meeting.

Advisory Note

Council may require developers undertaking developments in difficult terrain or environmentally sensitive areas to peg road centre lines prior to the pre-start meeting. This will allow Council and the Engineer* to view first hand the potential ramifications of construction activities such as storm water control, earthworks areas, clearing, and Council's existing services.

Construction Management Plan

8. No less than 15 working days prior to undertaking any works associated with roads and services forming part of the resource consent, the Consent Holder's Engineer* is to submit a comprehensive Construction Management Plan (CMP) detailing all stages of the works.

The CMP must be approved by Council prior to the commencement of the works associated with roads and services forming part of this resource consent. The CMP shall cover (but not be limited to) the following:

1. Site access control
2. Dust Management
3. Health and Safety plan
4. Subcontractor management
5. Communications
6. Gantt or similar progress chart
7. Formal process for design variations approval
8. Protection of Council's utility services
9. Work near and on Council's utility services
10. Project Manager or Lead Contractors name and contact details

The CMP shall also incorporate an Inspection and Test Plan (ITP) which shall cover (but not be limited to) the following:

- (a) Element of work
- (b) Tests and checks required
- (c) Quality requirement
- (d) Frequency of testing
- (e) Contractor's responsibility
- (f) Engineer*'s responsibility
- (g) Council's responsibility
- (h) Asset data recording requirements
- (i) Certification of Producer Statements Construction.

Any changes to the approved Construction Management Plan shall be to the satisfaction of the Waikato District Council acting in a technical certification capacity, and shall be confirmed in writing by the consent holder following consultation with the Waikato District Council.

Advisory Note

An example of the recommended Inspection and Test requirements that shall be included as part of the ITP are detailed in Appendix I to these conditions.

The recommended project documentation to be provided to Council is detailed in Appendix 2 to these conditions.

Traffic Management

9. For each stage of the development when existing public roads are involved, a Corridor Access Request, Traffic Management Plan and a Works Access Permit application shall be submitted to Waikato District Council for review and acceptance by the RCA at least 20 working days prior to commencing construction for that stage. The CAR and WAP application is to be discussed with Waikato District Council Roadway Assets Engineers where heavy machinery is involved. Construction works traffic on site that are authorised by this consent shall be controlled by the Contractor as defined in the CMP.
10. The Traffic Management Plan submitted with the WAP and CAR shall be in accordance with the Council's requirements and New Zealand Transport Agency's code of practice for temporary traffic management (COPTTM). The TMP shall address, but not be limited to:
 - a) Those effected by the construction traffic management plan;
 - b) Changes due to construction staging and proposed activities;
 - c) Hours of work,
 - d) Points of site access;
 - e) Contact details for the public;
 - f) Expected number of vehicle movements, particularly heavy vehicle numbers during the earthworks and construction phases;
 - g) How construction traffic will be managed to minimise adverse traffic effects at the Great South Road/Gateway Drive intersection during peak periods (e.g. 7am to 9am and 4pm to 6pm);
 - h) Any temporary traffic management proposed for the Great South Road/ Gateway Drive intersection to be subject to separate approval by the RCA (Road Controlling Authority, person appointed by Council to authorize regulatory changes to road controls) ;
 - i) Parking for construction staff;
 - j) Measures to prevent tracking of dust and debris onto public roads, e.g. wheel wash; and
 - k) Clean up of accidental spills and wheel track debris.

DEVELOPMENT IN PROGRESS CONDITIONS – FREIGHT HUB

Archaeology

11. In the event of any archaeological site, iwi, or Waahi tapu being discovered while undertaking works to give effect to the conditions of this consent, the works in the area of the discovery shall cease immediately and ensure the discovered material remains undisturbed. Iwi and the Waikato District Council shall be notified within 48 hours of the discovery, and works may not recommence until consultation has occurred with Iwi who have an interest in this site, Heritage New Zealand and any other relevant parties, and any necessary authorisations have been obtained.

Earthworks

12. The Consent Holder shall implement erosion and sediment control measures in accordance with the Waikato Regional Council's Erosion and Sediment Control Guidelines for Soil Disturbing Activities: January 2009, prior to undertaking the consented earthworks.

Once the earthworks are complete, the Consent Holder shall ensure that, as soon as practicable, and within a maximum of 12 months, the areas where soil disturbing activities were undertaken are stabilised against erosion.

Erosion and sediment controls shall be maintained and remain in place until (at least) the minimum required cover is achieved, and may only be removed once the Waikato District Council's Team Leader-Monitoring is satisfied that the risk from erosion and instability has been reduced to a less than minor risk and has provided approval in writing.

The earthworks design and construction shall include all necessary interim drainage such as swales, culverts, scruffy dome inlets, piped reticulation, to lead stormwater to the discharge points authorized by the WRC discharge consent. This stormwater system is to be maintained until further development takes place and a permanent system is constructed in accordance with the consent.

Construction

13. All construction shall be completed in accordance with the Construction Management Plan and approved detailed designs unless an amended Construction Management Plan is approved by Council.
14. The refueling of construction machinery on the site shall be undertaken in a manner that minimises the potential for contaminated discharges to occur to the unnamed tributary of the Te Rapa stream.

High-pressure gas line

15. Prior to the commencement of the works associated with the lowering of the high-pressure gas line, final details of the proposed works (including the construction methodology) shall be submitted to the satisfaction of Waikato District Council. Before submitting to WDC, evidence of approval is required from First Gas.

LANDSCAPING CONDITIONS

Landscaping along the unnamed tributary of the Te Rapa Stream

16. Prior to construction of any industrial building on the site, a detailed Landscape Mitigation Plan (LMP), including implementation and maintenance programme prepared by a suitably qualified landscape architect shall be submitted for approval by Waikato District Council's Team Leader - Monitoring.

Matters addressed by the LMP shall include, but will not be limited to, the following:

- (a) Details of the planting which is to extend around the stormwater ponds as shown on the scheme plan titled "Ports of Auckland Waikato Development Riparian Planting Plan", dated 26/08/2016;
- (b) LMP is to include the following details: schedule of the species to be planted including botanical name, average plant size at time of planting, planting density and average mature height of each;

- (c) Selection of plant species to ensure that once established, the type of planting is such that it does not require specific ongoing maintenance;
 - (d) Measures to be undertaken for topsoil and subsoil management to rehabilitate the soil profile so as to provide a viable growing medium for areas to be planted;
 - (e) Measures to minimise clearing work to preserve soil, indigenous vegetation and significant exotic trees including any rare specimen trees;
 - (f) Measures to ensure the appropriate disposal and clearance of invasive/noxious weeds; and
 - (g) An appropriately qualified and experienced ecologist shall provide written comments within the LMP on the appropriateness and effectiveness of the proposed revegetation.
17. The approved LMP shall be implemented:
- (a) Wherever practicable prior to construction works commencing; or
 - (b) As soon as areas become available for planting due to the progress of the works.
18. An inspection shall be undertaken by the Waikato District Council at 2 and 5 years after the implementation of the LMP in accordance with Condition 16, to confirm that the planting has been completed and established. A report on the outcomes of the inspection by a suitably qualified person shall be forwarded to the Waikato District Council's Team Leader - Monitoring within one month of completion. Provision shall be made for remedial works to be undertaken if such inspections identify that any significant plants or areas of planting have not become established.
19. An Ecological Rehabilitation Management Plan ('ERMP') shall be developed and implemented by a suitably qualified person (i.e. Landscape Architect or an Ecologist) for the Consent Holder to the satisfaction of the Waikato District Council's Team Leader - Monitoring. The ERMP will detail how the biodiversity and amenity values of the site will be enhanced by restoration of vegetation corridors along the stream. The ERMP shall be developed alongside the LMP and in accordance with those conditions.

FREIGHT HUB ACTIVITY CONDITIONS

Road-over-rail bridge

20. Prior to the commencement of the inland freight hub activity, the consent holder shall construct the road-over-rail bridge, together with all necessary services, in accordance with the attached plans reference I44000/00/P/4002 revision C.

Stage 3A Bunding Area

21. Prior to any subdivision or development of that part of the site that is located within Stage 3A of the Horotiu Industrial Park (Figure 24B(A)) an earth bund shall be constructed generally in the location and of the form and height shown on Figure 24B(B) of the Waikato District Plan (operational in part) 2011, unless otherwise approved in writing by the Waikato District Council.

Freight Hub Lighting Design

22. All light fittings associated with the illumination of the container hardstand area shall have a mounting height no greater than 25 metres above ground level, and a tilt of zero degrees.
23. All light fittings associated with the illumination of the container hardstand area shall be LED with a low glare rating and a high efficacy/efficiency rating.

Noise

24. Any activity within the site associated with the Waikato Freight Hub operations (including trucks and trains on the site) shall not exceed the following levels:
- i) at any point within any site zoned Industrial or Heavy Industrial 75dB LAeq;
 - ii) at any point within the notional boundary of any existing or future dwelling on any site zoned Rural:
 - 7:00am – 10:00pm 55dB LAeq
 - 10:00pm – 7:00am 45dB LAeq and 70dB LAFmax
 - iii) at any point within the notional boundary of any existing or future dwelling on any site zoned Living:
 - 7:00am – 10:00pm 55dB LAeq
 - 10:00pm – 7:00am 40dB LAeq and 70dB LAFmax.

Despite the above, construction noise and emergency sirens are not subject to this condition.

25. The noise shall be measured in accordance with the requirements of NZS6801:2008 Acoustics - Measurement of Environmental Sound and assessed in accordance with the requirements of NZS6802:2008 Acoustics – Environmental Noise.
26. Construction noise shall comply with the requirements of NZS6803:1999 Acoustics – Construction Noise.
27. If reasonably required by the Waikato District Council the noise from the activity shall be measured to demonstrate compliance with the conditions set out in condition (24). The results of this monitoring shall be provided to Waikato District Council's Team Leader - Monitoring within one week of undertaking the monitoring.

Building cladding

28. Prior to the construction of any industrial buildings on the site, details of the range of cladding materials and colours that are to be used shall be submitted to the Waikato District Council for approval. Thereafter, the buildings shall be constructed in accordance with these details unless otherwise agreed to in writing by the Waikato District Council.

Advisory note

The purpose of this condition is to ensure that the development of the site integrates with the surrounding industrial development and appears recessive.

ENGINEERING CONDITIONS – GENERAL

Staging of works

29. Prior to the commencement of any engineering works on the site, details of the proposed staging of the public roads, water, stormwater and wastewater shall be submitted to Waikato District Council for approval. The development of the site shall be undertaken in general accordance with the approved staging unless otherwise approved in writing by the Waikato District Council's Senior Land Development Engineer.

30. Prior to the commencement of Stage 2 of the inland freight hub activity (as described in the “Application for Resource Consent & Assessment of Environmental Effects to establish an inland freight hub at the Horotiu Industrial Park, Horotiu” prepared by Bentley & Co. Limited, dated September 2016), the Gateway Drive/Evolution Drive intersection shall be signalised unless otherwise approved in writing by the Waikato District Council.
31. Prior to commencement of any activity on the site the consent holder shall ensure that provision is made for reticulated water and wastewater connections at the capacity required to service each stage of the development of the freight hub unless otherwise approved in writing by the Waikato District Council.

Engineering standards

32. All engineering works, including works for installation of water, stormwater and wastewater supply, shall be designed and constructed in accordance with the following (in order of preference), unless otherwise approved in writing by the Waikato District Council:
 - (a) Waikato District Plan (Waikato Section) and more specifically, Schedule 24B – Horotiu Industrial Park.
 - (b) The Hamilton Infrastructure Technical Manual including section 9.

ENGINEERING CONDITIONS – ROAD AND RAIL

Design of Roads

33. No less than 15 working days prior to commencing any construction for the public roads, the consent holder shall present detailed designs including producer statements, for the approval of the Waikato District Council’s Senior Land Development Engineer.

The design of the roads is to be in general accordance with Austroads Guide to Road Design parts 1 to 8, and to an Industrial standard.

The information to be included on the detailed design shall at least include, but not be limited to, the following:

- (a) the staging of the roads and anticipated traffic volumes,
- (b) pavement design,
- (c) surfacing materials,
- (d) dimensions, speed values, tracking curves
- (e) drainage,
- (f) footpaths and cycle ways,
- (g) lighting,
- (h) signs,
- (i) markings,
- (j) ducting,
- (k) fencing
- (l) utility spaces
- (m) An assessment of the potential for truck roll-over crashes on the road-over-rail bridge and approaches,
- (n) any connections to roads or other public space and lot road frontage.

The consent holder shall construct the public roads in accordance with the Hamilton Infrastructure Technical Specifications unless an alternative design is approved in writing by the Waikato District Council.

Road Safety Audits

34. For each approved stage of the development under condition 30, the consent holder shall arrange for an independent road safety audit of both the detailed design and post-construction of the roads and intersections. The audit shall be undertaken in accordance with the 'Road Safety Audit Procedures for Projects Guidelines, May 2013'. The road safety audit shall specifically consider:
- (a) Truck roll-over risk on the road-over rail bridge and approaches;
 - (b) Operation of gatehouse (Stage 2 only) and whether further measures are required to address adverse effects of queuing on the road network.
35. A copy of each road safety audit shall be provided to Waikato District Council. Any audit recommendations and design changes arising from the detailed design road safety audit shall be agreed with the Waikato District Council prior to construction being undertaken. Any audit recommendations and design changes arising from the post-construction road safety audit shall be agreed with the Waikato District Council's Road Controlling Authority (RCA) prior to any remedial works being implemented by the consent holder.

Street Lighting Design

36. Street lighting shall be designed by a suitably qualified and competent professional, in accordance with the Hamilton Infrastructure Technical Specifications, to the satisfaction of the Waikato District Council. The design shall include details of proposed standards, lighting heads and colours.

General Rooding

37. All intersections and turning heads associated with the public roads are to be designed to suit the intended HCV's tracking curves and for cul-de-sacs if less, a minimum diameter of 20 metres. The surfacing shall be Asphaltic Concrete.
38. Temporary sealed turning heads are to be constructed at temporary endpoints of public roads unless otherwise approved in writing by the Waikato District Council.

Rail siding and spur

39. The rail siding and spur shall be constructed generally in accordance with the drawings titled "North Gate – Horotiu – General – New Siding Layout – Model 4BB – North Gate – at 553 km NIMT – Conceptual Layout – Plan" and "North Gate – Horotiu – General – New Siding Layout – Model 5 – North Gate – at 553 km NIMT – Conceptual Layout – Road I Profile" prepared by KiwiRail, unless an alternative design is approved in writing by the Waikato District Council.

Advice Note

The final design of the rail siding and spur is subject to the approval of KiwiRail (as the authority responsible for the operation of the North Island Main Trunk Line). Should any changes to the design of the rail siding and spur be required as a consequence of discussions with KiwiRail, such changes are required to be submitted to the Waikato District Council for approval.

ENGINEERING CONDITIONS - WATER

General

40. The supply of water to the development shall be designed in accordance with the HCC ITS and section 9 with all connections complying with Council's Water Supply Bylaw. Note a special connection design will be required incorporating a reduced pressure zone (RPZ) for any industrial use. The firefighting water supply shall comply with SNZ PAS4509:2008. Reticulation within the lease areas is under the Building act and is excluded from this condition.
41. Any materials and fittings not found in the Hamilton Infrastructure Technical Specifications are to be pre-approved by Waikato District Council in writing using the format described in the ITS General 1.1.5.2 Alternative Design before being specified in any designs submitted.

Engineering Conditions - Stormwater

General

42. The design and construction of the public stormwater reticulation (including stormwater ponds) shall comply with the Hamilton Infrastructure Technical Specifications including Section 9, and Waikato Regional Council TPI0 including low impact design unless otherwise approved in writing by the Waikato District Council's Senior Land Development Engineer.
43. Stormwater discharges from all public roads and sites are to be treated to remove contaminants prior to discharge from the site. The extent of treatment required is that to comply with the discharge requirements to the perimeter stream in accordance with the WRC discharge consent.
44. All catch pits shall be fitted with a "floatables baffle", typically as shown in the Hamilton Infrastructure Technical Specifications, or as otherwise approved by Waikato District Council's Senior Land Development Engineer, to prevent floatable debris from entering the stormwater pond.

Stormwater Ponds

45. The proposed stormwater ponds shall be constructed in accordance with approved plans/calculations and any Regional Council requirements, to the satisfaction of the Waikato District Council.

Advice Note:

Waikato District Council will only accept transference of any Regional Council resource consents issued in regard to the discharges/pond after completion of the works, a minimum period of two years in which monitoring of the consents shows no performance issues, and approval from WRC as fit for purpose.

Engineering Conditions - Wastewater

General

46. The wastewater reticulation (including rising mains) shall be connected to the existing public network system. Before commencing the system design, approval from the WDC Assets Waters is to be obtained for:

- I. Staged daily flow calculations including any anticipated trade waste discharges.

NB: The portions not within the road reserve are to be vested in Waikato District Council prior to any discharges to Council's system. Reticulation within the freight hub areas is under the Building act and is excluded from this condition.

47. The design and construction shall comply with the Hamilton Infrastructure Technical Specifications.
48. Operations and Maintenance Manuals for all components of the works shall be provided where works comprise, but not limited to, pump stations, reservoirs, treatment plants, stormwater ponds/treatment devices.

Advice Note:

Operating and Maintenance Manuals shall include spare parts lists, electrical documentation and any other relevant information. Maintenance Manuals and procedures are also required for drainage structures which incorporate Gross Pollutant Traps, interceptor devices etc. The Maintenance procedures should indicate recommended frequencies for maintenance/cleaning functions in wet and dry seasons.

ADVICE NOTES

I Lapse Date

This Resource Consent for land use lapses Ten years after the commencement of the consent, unless:

- (a) the Consent is given effect to prior to that date.
- (b) an application is made to the consent authority to extend the period after which the consent lapses, and the consent authority decides to grant an extension after taking into account
 - (i) whether substantial progress or effort has been, and continues to be, made towards giving effect to the consent; and
 - (ii) whether the applicant has obtained approval from persons who may be adversely affected by the granting of an extension; and
 - (iii) the effect of the extension on the policies and objectives of any plan or proposed plan.

Other consents/permits may be required

- 2 To avoid doubt; except as otherwise allowed by this resource consent, all land uses must comply with all remaining standards and terms of the relevant Waikato District Plan. The proposal must also comply with the Building Act 2004, Hamilton City Infrastructure Technical Specifications and Waikato Regional Plans. All necessary consents and permits shall be obtained prior to development.

- 3 The consent holder is reminded that the Turangawaewae Board of Trustees has requested that it be notified of any significant changes to the operation of the inland freight hub.
- 4 The consent holder is reminded that the Turangawaewae Board of Trustees has expressed an interest to part take in a blessing of the inland freight hub development prior to the commencement of any proposed earthworks by preferred contractors.
- 5 The consent holder is reminded that the Turangawaewae Board of Trustees has requested that all soil be sourced from the Waikato region.
- 6 The consent holder is reminded that the Turangawaewae Board of Trustees has requested the opportunity to put forward skill based representatives to work in the development of the freight hub site as we have access to a wide range of skilled Iwi representative looking for the opportunity to apply their level of skill.
- 7 The consent holder is reminded that the Turangawaewae Board of Trustees has requested that they undertake a review of the stormwater management plan that is to be prepared for the site.
- 8 The consent holder is reminded that the Turangawaewae Board of Trustees has requested that it is involved in the rehabilitation of the unnamed tributary of the Te Rapa stream.
9. The consent holder is advised that when working within the legal boundaries of any legal road (except a State Highway) requires an approved Corridor Access Request (CAR). Any CAR application is to be lodged with the Waikato District Council.
10. The consent holder is alerted that where any future site buildings cannot comply with District Plan bulk and location provisions, and particularly in relation to height, application for resource consent is required.
11. The Consent Holder is alerted that application for an outline plan may be required for works on the North Island Main Trunk Rail Line. Further discussion with KiwiRail is advised.

Schedule 2

Reasons for Decision

Resource Consent No: LUC0131/17

- 1 Consenting to the physical works associated with constructing the infrastructure, including roading, gives Council confidence that the layout and standard of the infrastructure associated with the Inland Freight Hub will be in accordance with the District Plan provisions and the Hamilton Infrastructure Technical Specifications.
- 2 The effects related to the physical works associated with constructing the infrastructure are deemed to be acceptable for the following reasons:
 - The over-bridge will be designed in accordance with Kiwi Rail specifications with final approval by KiwiRail (and will need to be satisfactory to Council as probable future road controlling authority);
 - The proposed internal roading layout provides for connectivity to SH1 (Waikato Expressway) and between the existing Northgate industrial development and future stage 3A;
 - Alternative methods of transport are provided for;
 - Riparian Planting along the tributary of the Te Rapa Stream will be undertaken to protect this feature;
 - A low impact stormwater methodology will be utilised, which will reticulate stormwater to central ponds, and treat the water by extended detention.
 - To ensure any sediment or silt remains on site during the excavation works, discharge will be managed through erosion and sediment control ponds, pre-treatment channels, clearwater diversions and bunding.
- 3 The effects over and above what the zoning provides for (i.e. effects that form the existing environment and permitted baseline) are those relating to visual and noise effects. It is my opinion that these will result in acceptable effects to persons adjacent the subject site, including the owners and occupiers of the properties in the Living Zone, the New Residential Zone, Country Living Zone and Rural Zone properties. Hence the application was processed on a non-notified basis and was approved under delegated authority without the need for a Council hearing. No parties were deemed affected by the proposal.
- 4 Amenity values, health and safety aspects will be protected from adverse traffic effects as the subject site is located within an established industrial park, the roading network is designed to accommodate an increased volume of traffic once the industrial park is complete, and due to the industrial location, amenity levels are typically lower. As the Horotiu Industrial Park is specifically identified in the District Plan as an Industrial Zone, the proposed inland freight hub will not compromise the direction signalled in the District Plan objectives and policies. Accordingly, the proposal is consistent with the objectives and policies of the operative District Planning documents.
- 5 The proposal is consistent with the operative Waikato Regional Policy Statement, and all other relevant matters.

6 Overall the proposal meets the purpose (section 5) as follows:

Section 5 of the Act outlines the Act's purpose, being sustainable management. the proposal achieves the purpose of the Act as it provides for the use and future development of the site which enables the local and wider community to provide for their social and economic well-being while avoiding, remedying or mitigating any adverse effects of the activity on the environment by ensuring land to be developed in line with existing infrastructure. Accordingly, the proposal sets the parameters for development at the site in a holistic manner which results in a better outcome than ad hoc development.

The proposal can also meets the principles set-out in sections 6 – 8 of the Resource Management Act 1991.

APPENDIX I – Council ITP Inspection and Test Requirements (as applicable)

Note: Hold points and Witness points marked with a * will be confirmed by Council in writing if they are required. A specific hold/witness point must be completed to the satisfaction of the Waikato District Council.

Elements of Work	Engineer's Responsibility	WDC's Responsibility
Roading infrastructure		
Site Clearance	Hold Point Joint inspection of defined limits and tree removal.	Hold Point
Sub-grade		
Material Quality	Routine inspections to assess quality of materials	Audit inspections.
Compaction	Hold Point Inspect, examine and assess test results.	*Witness Point.
Horizontal & Vertical Alignments	Routine inspections. Examine and assess all cross section geometry.	Audit inspections.
Profile & Depth	Hold Point Inspection during trimming and removal of soft spots.	Audit inspections.
Embankments	Hold Point Inspect, examine and assess test results.	*Witness Point.
Sub-base		
Material Quality	Routine inspections, examine and assess test results	Audit inspections.
Compaction	Hold Point Inspect, examine and assess test results.	*Witness Point.
Profile & Depth	Hold Point Joint inspection on completion of final preparation.	Hold Point
Base Layer		
Material Quality	Routine inspections, examine and assess test results	Audit inspections.
Compaction	Hold Point Inspect, examine and assess test results & cross section geometry.	*Witness Point.
Profile	Hold Point Joint inspection on completion of final preparation.	Hold Point
Surfacing		
Profile	Hold Point Joint pre-seal inspection	Hold Point
Kerb and Channel		
Material Quality	Hold Point Inspect foundations prior to kerb placement	*Witness Point.

Landscaping		
Grass establishment	Routine inspections to assess Contractors performance	Audit inspections
Tree Planting	Routine inspections to assess Contractors performance & assess quality of plants	Audit inspections
Irrigation	*Witness Point.	Audit inspections
Storm water Drainage		
Location of Structures	Hold Point Inspect & assess compliance	*Witness Point.
Material Quality	Routine inspections to assess quality.	Audit inspections
Pipelines	Hold Point inspection prior to laying of pipes	Witness Point
Backfilling	Witness Point. Inspection of lines prior to backfill & compaction testing	Audit inspections
Manholes, inlets & outlets	Witness Point Inspect & assess compliance	Audit inspections
Cast In-situ concrete work	Hold Point Inspect reinforcement and/or formwork prior to concrete pour	Witness Point
Testing	Hold Point Witness testing of Manholes & Pipelines upon completion.	Witness Point
Sewerage Reticulation		
Location of Structures	Hold Point Inspect & assess compliance	*Witness Point.
Material Quality (Bedding & Pipes)	Hold Point Inspection prior to laying of pipes	Witness Point
Pipelines	Hold Point Inspection prior to laying of pipes	Audit inspections
Backfilling	Witness Point Inspection of lines prior to backfill & compaction testing	Audit inspections
Manholes, Maintenance Shafts & Benching	Witness Point Inspect & assess compliance	Audit inspections
Cast In-situ concrete work & thrust / anchor blocks	Hold Point Inspect reinforcement and/or formwork prior to concrete pour	Witness Point
Trunk Infrastructure	Hold Point Pre-connection inspection of trunk lines.	Witness Point
Testing	Hold Point Witness testing of Manholes & Pipelines upon completion.	Witness Point

Water Reticulation		
Location	Hold Point Inspect & assess compliance	*Witness Point.
Material Quality (Bedding & Pipes)	Hold Point Inspection prior to laying of pipes	Witness Point
Valves, Hydrants & Bends	Audit inspections	Audit inspections
Pipelines	Hold Point- Witness pressure test of lines. Witness disinfection / flushing of pipeline	Witness Point -
Backfilling	Witness Point Inspection of lines prior to backfill.	Audit inspections
Cast In-situ concrete work & thrust / anchor blocks	Hold Point Inspect reinforcement and/or formwork prior to concrete pour	Witness Point
Pump Stations & Valve Chambers. Refer HCC ITS section 5 forms		
Excavation	Witness Point Confirm water table level and founding condition	Audit inspections
Base reinforcement, formwork & ground water control	Hold Point Inspect reinforcement formwork & ground water control prior to concrete pour	Witness Point
Reinforcement and formwork	Hold Point Inspect reinforcement & formwork prior to concrete pour	Witness Point
Materials testing	Witness Point Review materials testing	Audit inspections
Hydrostatic Testing	Hold Point Witness hydrostatic tests.	Hold Point
Electrical and SCADA Equipment	Witness Point Review switchboard test certification. Inspect installation	Hold Point Review certification of telemetry (SCADA) & certification of switchboards prior to delivery to site
Mechanical Equipment	Witness Point - Review certification & inspect installation	Witness Point
Pump testing and Station Commissioning	Hold Point -Witness draw down testing of pumps. -Inspection against commissioning checklist.	Hold Point

APPENDIX 2 – Recommended Project Documentation to form part of ITP

- (a) Certification upon Completion of Works- Volume 4, part 9 Appendix 4(i).
- (b) Checklist 1.1-Final Site Inspection and Release.
- (c) As-Built drawings and schedules of assets.
- (d) Producer Statement-Construction: Volume 4, part 9 Appendix 4(ii).
- (e) Management Plans, Operation & Maintenance Manuals (as applicable).
- (f) Copies of all inspections, measurements, test results etc. confirming compliance with Council's specifications and approved plans and designs. The documentation to be used is to be found in the Hamilton City Development Manual, Volume 4-Quality Systems for Land Development. These shall be assembled and retained by the Engineer as a part of the project documentation process. While not a complete listing, the following list details some major records to be included:
 - Geotechnical testing.
 - Fill compaction test results.
 - Sub-grade CBRs.
 - Sub-grade replacement material quality, thickness and locations. **
 - Sub-grade replacement material compaction test results. **
 - Subsoil drain filter media quality statements.
 - Sub-base and base course material quality statements and thicknesses.
 - Sub-base and base course compaction test results.
 - Prime or primer seal spray and application rates.
 - AC core test results. *
 - Sewer & Storm water pressure test records.
 - Sewer & Storm water bedding quality statements.
 - Water main bedding quality statements.
 - Water main pressure test records.
 - Pump Station testing (sewer and water) including wet-well, pumps and switchboard
 - Any concrete testing required by the technical specifications.
 - Pipe work material quality statements for all pipe work material (water, sewer, storm water, etc.).
 - Geo-fabric material quality statements. **
 - Digital copy of CCTV survey undertaken in accordance with the latest version of the New Zealand Pipe Inspection Manual for sewer and storm water with Engineering Report and Certification.
 - Any other testing results or statements required in terms of this manual.
 - Any other job specific testing carried out or ordered by the Engineer.

NB: **Where required to be used.

Ports of Auckland Limited – Photographs and Concept Plans

Aerial Photograph - November 2019



Photo 1 Artist Impression of POAL site in Horotiu Industrial Park



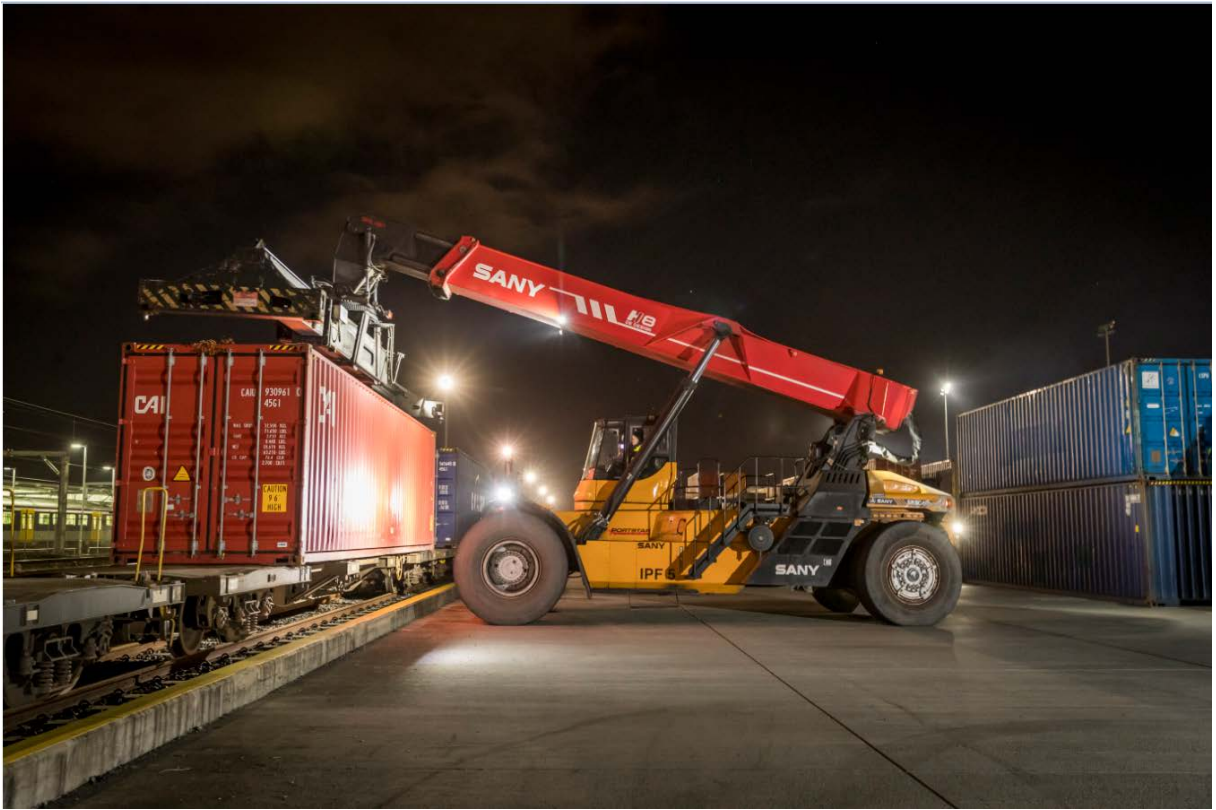
Photo 2 Artist Impression of POAL site in Horotiu Industrial Park



Photo 3 Wiri Site



POAL Photo 4 Wiri Site



Recommended Provisions for Development Area 20.6 Horotiu Industrial Park

20.6.1 Applications of rules

(a) The rules in Chapter 20 for the Industrial Zone and Specific Area 20.6 apply to the Horotiu Industrial Park identified on the planning maps, except for all land use activity rules listed as Rules 20.1.1, 20.1.2 and 20.1.3).

(b) The rules in Development Area 20.6 take precedence where there is any inconsistency with the rules in Chapter 20.

20.6.1 Permitted Activities

<u>Activities</u>		<u>Activity-specific conditions</u>
<u>P1</u>	<u>Industrial activity</u>	<u>Nil</u>
<u>P2</u>	<u>Ancillary activity</u>	<u>Nil</u>
<u>P3</u>	<u>Trade and industry training activity</u>	<u>Nil</u>
<u>P4</u>	<u>Truck stop for refuelling</u>	<u>Nil</u>
<u>P5</u>	<u>An office that is ancillary to a permitted activity</u>	<u>Does not exceed 100m² or 30% gross floor area of all buildings on the site.</u>
<u>P6</u>	<u>A retail activity that is ancillary to a permitted activity.</u>	<u>Does not exceed 10% gross floor area of all buildings on the site.</u>
<u>P7</u>	<u>Food outlet</u>	<u>Does not exceed 200m² gross floor area.</u>

20.6.2 Restricted Discretionary Activity

<u>RD1</u>	<p>(a) <u>A permitted activity in Rule 20.6.1 that does not comply with any activity-specific condition.</u></p> <p>(b) <u>Council's discretion is restricted to the following matters:</u></p> <ul style="list-style-type: none"> • <u>effects on the supply of industrial land within Horotiu Industrial Park</u> • <u>function of the Horotiu Industrial Park as a regionally significant industrial node</u>
<u>RD2</u>	<p>(a) <u>Residential unit for caretaker or security personnel that meets the following condition:</u></p> <p>(i) <u>Does not exceed 70m² gross floor area</u></p> <p>(b) <u>Council's discretion is restricted to the following matters:</u></p> <p>(i) <u>Reverse sensitivity effects including noise, odour, dust, glare and light spill</u></p>

20.6.3 Discretionary Activities

<u>D1</u>	<u>Any activity that is not listed in Rule 20.6.1.1 or Rule 20.6.2</u>
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20.6.4 Non-complying Activities

<u>NC1</u>	<u>A noise sensitive activity</u>
<u>NC2</u>	<u>A sensitive land use</u>

20.6.5 Landscaping planting – Horotiu Road

<u>CI</u>	<p>(a) Any land use, building or subdivision activity on land that fronts Horotiu Road that meets the following condition:</p> <p>(i) <u>Provision of a 5 metre deep landscaped buffer immediately inside that road frontage (excluding required vehicle entrances and accessways) comprising indigenous species that will achieve a height of at least 5 metres within 5 years</u></p> <p>(b) Council's control shall be reserved over the following matters:</p> <ul style="list-style-type: none"> • <u>type and density of indigenous species to be planted</u> • <u>maintenance measures</u> • <u>the extent to which amenity of the Residential Zone on Horotiu Road is maintained</u>
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20.6.6 Planing of Earth Bund – Horotiu Road

<u>CI</u>	<p>(a) Any land use, building or subdivision activity on land that fronts Onion Road that meets the following condition:</p> <p>(i) <u>Landscaping of the existing earth bund with indigenous species that will achieve an average height of at least 3 metres above the top of the earth bund within 5 years</u></p> <p>(b) Council's control shall be reserved over the following matters:</p> <ul style="list-style-type: none"> • <u>type and density of indigenous species to be planted</u> • <u>maintenance measures</u> • <u>the extent to which amenity of the rural residential lots on Onion Road and Ridge Park Drive (DPS 89684) is maintained</u>
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20.6.7 Subdivision – General

<u>RDI</u>	<p>(a) <u>Subdivision must comply with all of the following conditions:</u></p> <p>(i) <u>proposed lots (excluding access allotments and utility allotments) must have a minimum net site area of 500m²</u></p> <p>(ii) <u>proposed lots for a network utility must have a minimum net site area of 100m²</u></p> <p>(b) <u>Council's discretion is restricted to the following matter:</u></p> <ul style="list-style-type: none"> • <u>the extent to which a range of future industrial activities can be accommodated</u>
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20.6.8 Noise General

<u>PI</u>	<u>Noise generated by emergency generators and emergency sirens.</u>
<u>P2</u>	<p>(a) <u>Noise from an activity in the Horotiu Industrial Park must not exceed:</u></p> <p>(i) <u>75dBA (L_{Aeq}) at any time measured within any other site at any time</u></p> <p>(b) <u>Noise from an activity in the Horotiu Industrial Park must not exceed the following limits when measured within a Residential Zone:</u></p> <p>(i) <u>55dBA (L_{Aeq}) 7am to 10pm</u></p> <p>(ii) <u>40dBA (L_{Aeq}) and 70dBA (L_{Amax}) 10pm to 7am the following day</u></p> <p>(c) <u>Noise from an activity in the Horotiu Industrial Park must not exceed the following limits when measured within any zone outside of the Horotiu Industrial Park and Heavy Industrial Zone (except the Residential Zone):</u></p> <p>(i) <u>55dBA (L_{Aeq}) 7am to 10pm</u></p> <p>(ii) <u>45dBA (L_{Aeq}) and 70dBA (L_{Amax}) 10pm to 7am the following day</u></p> <p>(d) <u>Noise levels must be measured in accordance with the requirements of New Zealand Standard NZS 6801:2008 "Acoustics - Measurement of Environmental Sound"</u></p>

	<u>(e) Noise levels must be assessed in accordance with the requirements of New Zealand Standard NZS 6802:2008 “Acoustics- Environmental noise”.</u>
<u>RDI</u>	<u>(a) Noise generated by any activity that does not comply with Rule 20.6.X P2.</u> <u>(b) Council’s discretion is restricted to the following matters:</u> <u>(i) effects on amenity values</u> <u>(ii) hours of operation</u> <u>(iii) Location of noise sources in relation to boundaries</u> <u>(iv) Frequency or other special characteristics of noise</u> <u>(v) Noise levels and duration</u> <u>(vi) Mitigation measures</u>

20.6.9 Building height

<u>PI</u>	<u>(a) A building or structure that is more than 400 metres from Horotiu Road and does not exceed:</u> <u>(i) a height of 25 metres; and</u> <u>(ii) a height of 15 metres over 90% of the site</u> <u>(b) A building or structure than is 50 metres of Horotiu Road and does not exceed a height of 10 metres</u>
<u>RDI</u>	<u>(a) A building or structure that does not comply with Rule 20.6.X PI</u> <u>(b) Council’s discretion is restricted to the following matter:</u> <u>(i) the extent to which visual amenity in the Residential Zone is maintained</u>

20.6.10 Aerials, Antennae and Lighting Masts

<u>PI</u>	<u>(a) An aerial and support structure that does not exceed a height of:</u> <u>(i) 15 metres; or</u> <u>(ii) 10 metres if located within 50 metres of Horotiu Road; or</u> <u>(iii) 5 metres above the building on which the aerial is mounted, where that building exceeds a height of 20 metres</u>
<u>P2</u>	<u>(a) A dish antenna that does not exceed a 5 metre diameter</u> <u>(b) A panel antenna that does not exceed 2.5 metres in any dimension</u>
<u>P3</u>	<u>Lighting masts located at least 400 metres from Horotiu Road and not exceeding a height of 25 metres.</u>
<u>RDI</u>	<u>(a) Any aerial, antenna or lighting mast that does not comply with Rule 20.6.X PI, P2 or P3</u> <u>(b) Council’s discretion is restricted to the following matter:</u> <u>(i) the extent to which visual amenity in the Residential Zone is maintained</u>