

Attachment 2

Revised Chapter 20 resulting from submitter feedback post Hearing 7

Key to use of colour

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

Purple text – resulting from submitter feedback

Chapter 20: General Industrial Zone

Proposed Waikato District Plan



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Chapter 20: General Industrial Zone

Zone Description

The General Industrial Zone contains areas used predominantly for a range of industrial activities. This zone may also be used for activities that are compatible with the adverse effects generated from industrial activities.

Introduction

- (1) The rules that apply to activities in the General Industrial Zone are contained in [Rule 20.1](#) Land Use – Activities, [Rule 20.2](#) Land Use – Effects and [Rule 20.3](#) Land Use – Building.
- (2) The rules that apply to subdivision in the General Industrial Zone are contained in [Rule 20.4](#).
- (3) The activity status tables and standards in the following chapters also apply to activities in the General Industrial Zone:
 - 14 Infrastructure and Energy
 - 15 Natural Hazards and Climate Change
- (4) The following symbols are used in the tables:
 - (a) PR Prohibited activity
 - (b) P Permitted activity
 - (c) C Controlled activity
 - (d) RD Restricted discretionary activity
 - (e) D Discretionary activity
 - (f) NC Non-complying activity
- (5) The General Industrial Zone contains a Development Area that is Horotiu Industrial Park. [Rule 20.5](#) manages all land use, building and subdivision in this location. [Rule 20.5.1](#) sets out how to apply rules to Horotiu Industrial Park that are either different from, or are in addition to, other rules that apply to the rest of the General Industrial Zone.

20.1 Land Use – Activities

20.1.1 Permitted Activities

- (a) The following activities are permitted activities if they meet all the following:
 - (i) Activity-specific conditions
 - (ii) Land Use – Effects rules in [Rule 20.2](#) (unless the activity rule and/or activity-specific conditions identify a condition(s) that does not apply)
 - (iii) Land Use – Building rules in [Rule 20.3](#) (unless the activity rule and/or activity-specific conditions identify a condition(s) that does not apply)

Activity		Activity-specific conditions
P1	Industrial activity	Nil
P2	Trade and industry training activity	Nil
P3	Truck stop for refuelling	Nil
P4	Office ancillary to an industrial activity	(a) Less than 100m ² gross floor area; or (b) Does not exceed 30% gross floor area of all buildings on the site.
P5	Food outlet	(a) Less than 200m ² gross floor area

P6	Ancillary retail	Does not exceed 10% gross floor area of all buildings on the site.
P7	Hire centre	Nil
P8	Wholesale	Nil
P9	Trade supply outlet	Nil
P10	Transport depot	Nil
P11	Garden centre	Nil
P12	Retailing of agricultural and industrial motor vehicles and machinery	Nil
P13	Emergency services training and management activities	Nil
P14	Ancillary activity	Nil
P15	Construction or demolition of, or alteration or addition to, a building	Nil
P16	Community corrections activity	Nil
P17	Service station	Nil

20.1.2 Restricted Discretionary Activities

(a) The activities listed below are restricted discretionary activities.

Activity	Matters of discretion	
RD1	<p>A residential unit for a caretaker or security personnel that meets the following condition:</p> <p>(i) does not exceed 70m² gross floor area.</p>	<p>Council's discretion is restricted to the following matters:</p> <p>(i) reverse sensitivity effects including noise, odour, dust, glare and light spill</p>

20.1.3 Discretionary Activities

(a) The activities listed below are discretionary activities.

D1	Any permitted activity that does not comply with an activity-specific condition in Rule 20.1.1.
D2	Any activity that does not comply with Land Use - Effects Rule 20.2 or Land Use - Building Rule 20.3 unless the activity status is specified as controlled, restricted discretionary, discretionary or non-complying.
D3	A waste management facility
D4	Hazardous waste storage, processing or disposal
D5	An extractive industry
D6	An office not provided by Rule 20.1.1 P4
D7	A retail activity not provided by Rule 20.1.1 P6
D8	Any activity that is not specifically listed as a permitted, controlled, restricted discretionary or non-complying activity.

20.1.4 Non-Complying Activities

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

NCI	A noise-sensitive activity, except for a residential unit provided by Rule 20.1.2 RD1
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NC2	A sensitive land use, except for a residential unit provided by Rule 20.1.2 RDI
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20.2 Land Use - Effects

20.2.1 Landscape planting

PI	(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 1.5m metres apart
RDI	(a) Any building or land use activity that does not comply with Rule 20.2.1 P1. (b) Council's discretion is restricted to the following matters: (i) type, density and scale of indigenous vegetation (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 20.2.1 P2. (b) Council's discretion is restricted to the following matters: (i) type, density and scale of indigenous vegetation (ii) the extent to which the natural character and cultural values of a river or stream are maintained.

20.2.2 Noise

- (1) Rule 20.2.2.1 Noise – General, provides permitted noise limits in the General Industrial Zone.
- (2) Rule 20.2.2.1A Noise – Pokeno, provides permitted noise limits in the General Industrial Zone in Pokeno.
- (3) Rule 20.2.2.2 Noise – Construction, provides permitted noise limits for construction activities.

20.2.2.1 Noise – General

PI	Noise generated by emergency generators and emergency sirens.
P2	(a) Noise measured within any other site: (i) In a General Industrial Zone that does not exceed: A. 75dB (L _{Aeq}) at any time (b) Noise measured within any site in any zone, other than the General Industrial Zone and Heavy Industrial Zone, that does not exceed the permitted noise limits for that zone. (c) Noise levels that are measured in accordance with the requirements of NZS 6801:2008 "Acoustics Measurements of Environmental Sound" (d) Noise levels that are assessed in accordance with the requirements of NZS 6802:2008 "Acoustics Environmental Noise"
RDI	(a) Noise that does not comply with Rule 20.2.2.1 P1 or P2.

	<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 (vi) noise levels and duration.
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20.2.2.1A Noise in Pokeno

PI	Noise generated by emergency generators and emergency sirens.
P2	<p>(a) Noise measured within any other site:</p> <ul style="list-style-type: none"> (i) In a General Industrial Zone in Pokeno that does not exceed: <ul style="list-style-type: none"> A. 65dB (L_{Aeq}) at any time <p>(b) Noise measured within any site in any zone, other than the General Industrial Zone and Heavy Industrial Zone, that does not exceed the permitted noise limits for that zone.</p> <p>(c) Noise levels that are measured in accordance with the requirements of NZS 6801:2008 "Acoustics Measurements 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 20.2.2.1A P1 or P2.</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 (vi) noise levels and duration.

20.2.2.2 Noise – Construction

PI	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 20.2.2.2 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 (v) method of construction.

20.2.3 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 General Industrial Zone or Heavy Industrial Zone.
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RDI	<p>(a) Illumination that does not comply with Rule 20.2.3 P1.</p> <p>(b) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (i) effects on amenity values (ii) light spill levels on another site (iii) road safety (iv) duration and frequency (v) location and orientation of the light source (vi) mitigation measures.
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20.2.4 Earthworks

- (1) Rule 20.2.4.1 Earthworks – General, sets out the conditions for permitted earthwork activities in the General Industrial Zone. This rule does not apply to areas specified in Rule 20.2.4(2).
- (2) There are specific conditions for earthworks within the following areas:
 - (a) Rule 20.2.4.2 Earthworks – Within Significant Natural Areas
 - (b) Rule 20.2.4.3 Earthworks – Within Landscape and Natural Character Areas

20.2.4.1 Earthworks – General

P1	Earthworks within a site that may, or may not, involve imported cleanfill material, for the purpose of creating a building platform and/or ancillary hardstand area.
P2	<p>(a) Earthworks (excluding imported fill material) within a site that:</p> <ul style="list-style-type: none"> (i) are located at least 1.5 metres from any water body, open drain or overland flow path (ii) do not exceed a volume of 10,000m³ (iii) do not exceed an area of 10,000m² within a 12 month period (iv) do not exceed a slope in stable ground of 1:2 (1 metre vertical to 2 metre horizontal) (v) result in exposed areas being re-vegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks, or finished with a hardstand surface (vi) result in sediment being retained on the site through implementation and maintenance of erosion and sediment controls (vii) do not result in any change to natural water flows, any water body or established drainage path.
P3	<p>(a) Earthworks involving imported fill material (excluding cleanfill material) for purposes other than creating a building platform within a site, that:</p> <ul style="list-style-type: none"> (i) are located at least 1.5 metres from any water body, open drain or overland flow path (ii) do not exceed a volume of 10,000m³ (iii) do not exceed a slope in stable ground of 1:2 (1 metre vertical to 2 metre horizontal) (iv) result in exposed areas being re-vegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks, or finished with a hardstand surface (v) result in sediment being retained on the site through implementation and maintenance of erosion and sediment controls (vi) do not result in any change to natural water flows, any water body or established drainage path.
RDI	<p>(a) Earthworks that do not comply with Rule 20.2.4.1 P1, P2 or P3.</p> <p>(b) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (i) amenity values and landscape effects (ii) volume, extent and depth of earthworks (iii) nature of fill material (iv) contamination of fill material (v) location of the earthworks in relation to any water body, significant indigenous vegetation and habitat (vi) compaction of the fill material (vii) volume and depth of fill material

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

PI	<p>(a) Earthworks for the maintenance of existing tracks, fences or drains within an identified Significant Natural Area that:</p> <ul style="list-style-type: none"> (i) do not exceed a volume of 50m³ in a 12 month period (ii) do not exceed an area of 250m² in a 12 month period (iii) do not involve importing any fill material (iv) do not result in any excavation or filling exceeding a depth of 1.5 metres or a slope of 1:2 (1 metre vertical to 2 metre horizontal) (iv) result in sediment being retained on the site through implementation and maintenance of erosion and sediment controls (vii) do not result in any change to natural water flows, any water body or established drainage path.
RDI	<p>(a) Earthworks that do not comply with Rule 20.2.4.2 P1.</p> <p>(b) Council’s discretion is restricted to the following matter:</p> <ul style="list-style-type: none"> (i) the extent to which the aesthetic and ecological values of the Significant Natural Area are maintained.

20.2.4.3 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> <ul style="list-style-type: none"> (i) do not exceed the following areas and volumes within a 12 month period: <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Landscape or Natural Character Area</th> <th style="text-align: center;">Area (m²)</th> <th style="text-align: center;">Volume (m³)</th> </tr> </thead> <tbody> <tr> <td>Significant Amenity Landscape</td> <td style="text-align: center;">50</td> <td style="text-align: center;">250</td> </tr> <tr> <td>High Natural Character Area or Outstanding Natural Character Area</td> <td></td> <td></td> </tr> <tr> <td>Outstanding Natural Feature</td> <td></td> <td></td> </tr> <tr> <td>Outstanding Natural Landscape</td> <td></td> <td></td> </tr> </tbody> </table> <ul style="list-style-type: none"> (ii) do not result in any cut or batter face in stable ground exceeding a height of 1.5 metres (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) (iv) result in exposed areas being re-vegetated to achieve 80% ground cover within 6 months of the commencement of the earthworks (v) result in sediment being retained on the site through implementation and maintenance of erosion and sediment controls (vi) do not result in any change to natural water flows, any water body or established drainage path. 	Landscape or Natural Character Area	Area (m ²)	Volume (m ³)	Significant Amenity Landscape	50	250	High Natural Character Area or Outstanding Natural Character Area			Outstanding Natural Feature			Outstanding Natural Landscape		
Landscape or Natural Character Area	Area (m ²)	Volume (m ³)														
Significant Amenity Landscape	50	250														
High Natural Character Area or Outstanding Natural Character Area																
Outstanding Natural Feature																
Outstanding Natural Landscape																
RDI	<p>(a) Earthworks that do not comply with Rule 20.2.4.3 P1.</p> <p>(b) Council’s discretion is restricted to the following matter:</p> <ul style="list-style-type: none"> (i) the extent to which adverse effects on landscape or natural character values are avoided, remedied or mitigated. 															

20.2.5 Hazardous Substances

PI	(a) The use, storage or disposal of any hazardous substance where: (i) the aggregate quantity of a hazardous substance of any hazard classification on a site is less than the quantity specified for the General Industrial Zone in Table 5.1 contained within Appendix 5 (Hazardous Substances) .
P2	(a) The storage or use of radioactive materials that is: (i) approved equipment for medical and diagnostic purposes; or (ii) specified as an exempt activity or article in the Radiation Safety Act and Regulations 2017 .
CI	(a) The storage of 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 shall reserve its control over the following matters: (i) The proposed site design and layout in relation to: A. the sensitivity of the surrounding natural, human and physical environment 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 monitoring and reporting of incidents.
DI	The use, storage or disposal of any hazardous substances that does not comply with Rule 20.2.5 PI, P2 or CI .

20.2.6 Signs

- (1) Rule 20.2.6.1 Signs – General, states conditions for a permitted sign, including a real estate sign, within the General Industrial Zone.
- (2) Rule 20.2.6.2 Signs – Effects on traffic, states conditions for a sign directed at road users.

20.2.6.1 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 10 metres (ii) is contained wholly within the site (iii) relates to goods and services available on the site or the 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"> (i) does not extend more than 300mm from the building wall (ii) does not exceed the height of the building. <p>(c) Freestanding signs that:</p> <ul style="list-style-type: none"> (i) do not exceed an area of 3m² for one sign per site, and 1m² for one additional freestanding sign on the site (ii) are set back at least 5 metres from the boundary of any site in a Residential, Village or Country Living Zone (iii) are set back at least 15 metres from a state highway or Waikato Expressway. <p>(d) A sign attached to a heritage item listed in Schedule 30.1(Heritage Items) for the express purpose of identification and interpretation.</p>
P3	<p>(a) A real estate sign that:</p> <ul style="list-style-type: none"> (i) relates to the sale of the site on which it is located (ii) does not result in more than 3 signs per site (iii) is not illuminated (iv) does not contain any moving parts, fluorescent, flashing or revolving lights or reflective materials (v) does not exceed dimensions of 1800mm x 1200mm.
RDI	<p>(a) A sign that does not comply with Rule 20.2.6.1 P2 or P3.</p> <p>(b) Council's discretion s restricted to the following matters:</p> <ul style="list-style-type: none"> (i) visual 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 (vi) effects on notable architectural features of a heritage item.

20.2.6.2 Signs – effects on traffic

PI	<p>(a) Any sign directed at users that:</p> <ul style="list-style-type: none"> (i) does not imitate the content, colour or appearance of any traffic control sign (ii) is located at least 60m from controlled intersections, pedestrian crossings and another advertising sign (iii) does not obstruct sight lines of drivers turning into or out of a site entrance and intersections or at a level railway crossing (iv) does not contain more than 40 characters and no more than 6 symbols (v) has lettering that is at least 150mm high (vi) is at least 130m from a site entrance, where the sign directs traffic to that entrance.
RDI	<p>(a) Any sign that does not comply with Rule 20.2.6.2 P1.</p> <p>(b) Council's discretion is restricted to the following matter:</p> <ul style="list-style-type: none"> (i) the extent to which the safety of road users is maintained.

20.2.7 Indigenous vegetation clearance within a Significant Natural Area

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

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

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

20.3.1 Building height

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

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

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

20.3.3 Height in relation to boundary

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

20.3.4 Building setbacks

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

20.3.4.1 Building setbacks – All boundaries

PI	(a) A building that is set back at least: <ul 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 Heavy Industrial Zone.
RD1	(a) A building that does not comply with Rule 20.3.4.1 P1 . (b) Council's discretion is restricted to the following matters: <ul style="list-style-type: none"> (i) effect on amenity (ii) effect on streetscape (iii) traffic and road safety

20.3.4.2 Building setback – water bodies

PI	(a) A building that is set back a minimum of 30 metres from: <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 20.3.4.2 P1, P2 and P3 .
RD1	(a) Any building that does not comply with Rule 20.3.4.2 P1, P2, P3 or P4 . (b) Council's discretion is restricted to the following matters: <ul style="list-style-type: none"> (iii) the extent to which the natural character values of the water body or wetland are maintained.

20.3.5 Historic Heritage

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

20.3.5.1 Group A heritage item - demolition, removal or relocation

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

D1	Demolition, removal or relocation of any Group B heritage item listed in Schedule 30.1 (Heritage Items) .
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20.3.5.3 All heritage items – alteration or addition

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

20.3.5.4 All heritage items – maintenance or repair

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

20.3.5.5 All heritage items – all site development

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

20.4 Subdivision

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

20.4.1 Subdivision - General

RDI	<p>(a) Proposed lots in a subdivision must:</p> <ul style="list-style-type: none"> (i) have a minimum net site area of 1000m² (ii) be connected to public-reticulated water supply and wastewater. <p>(b) Council's discretion is restricted to the following matters:</p> <ul style="list-style-type: none"> (i) the extent to which a range of future industrial 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 20.4.1 RDI .

20.4.2 Subdivision – Boundaries for Records of Title

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

20.4.3 Subdivision - Road Frontage

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

20.4.4 Subdivision - Esplanade Reserves and Esplanade Strips

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

20.4.5 Subdivision of land containing a heritage item

RD1	<ul style="list-style-type: none"> (a) Subdivision of a site containing a heritage item listed in Schedule 30.1 (Heritage Items) where the heritage item is wholly contained within one lot. (b) Council's discretion is restricted to the following matters: <ul style="list-style-type: none"> (i) effects on heritage values (ii) context and setting of the heritage item; and (iii) the extent to which the relationship of the heritage item with its setting is maintained.
DI	Subdivision that does not comply with Rule 20.4.5 RDI .

20.4.6 Subdivision - Significant Natural Areas

RD1	<ul style="list-style-type: none"> (a) Subdivision of a site that does not involve division of a Significant Natural Area. (b) Council's discretion is restricted to the following matter: <ul style="list-style-type: none"> (i) effects on protection and management of the Significant Natural Area.
DI	Subdivision that does not comply with Rule 20.4.6 RDI .

20.5 Horotiu Industrial Park

20.5.1 Application of rules

- (a) The rules in Chapter 20 for the General Industrial Zone and Development Area 20.5 apply to the Horotiu Industrial Park identified on the planning maps, unless otherwise specified below, in which case the equivalent rules in the General Industrial Zone do not apply, except for all land use activity rules listed as Rules 20.1.1, 20.1.2, and 20.1.3 and 20.1.4.

20.5.2 Land Use – Activities

20.5.2.1 Permitted Activities

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

20.5.2.2 Restricted Discretionary Activities

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

20.5.2.3 Discretionary Activities

DI	Any activity that is not listed in <u>Rule 20.5.2.1</u> or <u>Rule 20.5.2.2</u> .
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20.5.2.4 Non-complying Activities

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

20.5.3 Land Use Effects

20.5.3.1 Noise – General

PI	Noise generated by emergency generators and emergency sirens.
P2	<p>(a) Noise from an activity in the Horotiu Industrial Park that does not exceed:</p> <p>(i) 75dBA (LAeq) at any time measured within any other site at any time.</p> <p>(b) Noise from an activity in the Horotiu Industrial Park that does not exceed the following limits when measured within a Residential Zone:</p> <p>(i) 55dBA (LAeq) 7am to 10pm</p> <p>(ii) 45dBA (LAeq) and 70dBA (LAm_{ax}) 10pm to 7am the following day.</p> <p>(c) Noise from an activity in the Horotiu Industrial Park that does not exceed the following limits when measured within the notional boundary of any building containing a noise-sensitive activity existing at [the date the PWDP becomes operative] within any zone outside of the Horotiu Industrial Park and Heavy Industrial Zone (except the Residential Zone):</p> <p>(i) 55dBA (LAeq) 7am to 10pm</p> <p>(ii) 45dBA (LAeq) and 70dBA (LAm_{ax}) 10pm to 7am the following day.</p> <p>(d) Noise levels that is measured in accordance with the requirements of New Zealand Standard NZS 6801:2008 “Acoustics - Measurement of Environmental Sound”.</p> <p>(e) Noise levels that is assessed in accordance with the requirements of New Zealand Standard NZS 6802:2008 “Acoustics- Environmental noise”.</p>
RD1	<p>(a) Noise generated by any activity that does not comply with Rule 20.5.3.1 P2.</p> <p>(b) Council’s discretion is restricted to the following matters:</p> <p>(i) effects on amenity values</p> <p>(ii) hours of operation</p> <p>(iii) location of noise sources in relation to boundaries</p> <p>(iv) frequency or other special characteristics of noise</p> <p>(v) noise levels and duration</p> <p>(vi) mitigation measures.</p>

20.5.3.2 Landscape planting

PI	<p>(a) Any building or land use activity on a record of title that fronts Horotiu Road that is landscaped along the full frontage of that road, except for access and egress points, to the following minimum standards:</p> <p>(i) a 5 metre depth measured from the road boundary</p> <p>(ii) comprises mixed indigenous vegetation planted a maximum of 1.5 metres apart that achieve a 5 metre height within 5 years.</p>
RD1	(a) Any building or land use activity that does not comply with Rule 20.5.3.2 P1.

	<p>(b) Council's discretion is restricted to the following matters:</p> <p>(iii) type, density and scale of indigenous vegetation</p> <p>(iv) the extent to which the amenity of the Residential Zone on Horotiu Road is maintained.</p>
P2	<p>(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:</p> <p>(i) a 4 metre depth measured from the bank, and extending across the full length, of the water body</p> <p>(ii) comprises mixed indigenous vegetation planted a maximum of 1.5 metres apart.</p>
RD2	<p>(a) Any building or land use activity that does not comply with Rule 20.5.3.2 P2</p> <p>(b) Council's discretion is restricted to the following matters:</p> <p>(i) type, density and scale of indigenous vegetation</p> <p>(ii) the extent to which the natural character and cultural values of a river or stream are maintained.</p>

20.5.4 Land use – building

20.5.4.1 Building height

PI	<p>(a) A building or structure that is within 50 metres of Horotiu Road and does not exceed a height of 10 metres.</p>
P2	<p>(a) A building or structure that is 50 to 400 metres from Horotiu Road and does not exceed a height of 15 metres.</p>
P3	<p>(a) A building or structure that is more than 400 metres from Horotiu Road and does not exceed a height of:</p> <p>(i) 25 metres; and</p> <p>(ii) 15 metres over 90% of the site.</p>
RD1	<p>(a) A building or structure that does not comply with Rule 20.5.4.1 P1, P2 or P3.</p> <p>(b) Council's discretion is restricted to the following matter:</p> <p>(i) the extent to which visual amenity in the Residential Zone is maintained.</p>

20.5.4.2 Building setback from earth bund

PI	<p>Any building on land that contains the Horotiu Industrial Park earth bund, as shown on the planning maps, that is set back 5 metres from the toe of the bund.</p>
RD1	<p>(a) Any building that does not comply with Rule 20.5.4.2 P1.</p> <p>(b) Council's discretion is restricted to the following matter:</p> <p>(i) effects on the Horotiu Industrial Park earth bund.</p>

20.5.4.3 Aerials, antennae and lighting masts

PI	<p>(a) An aerial and support structure that does not exceed a height of:</p> <p>(i) 15 metres, or</p> <p>(ii) 10 metres if located within 50 metres of Horotiu Road, or</p> <p>(iii) 5 metres above the building on which the aerial is mounted, where that building exceeds a height of 20 metres.</p>
P2	<p>(a) A dish antenna that does not exceed a 5 metre diameter.</p>

	(b) A panel antenna that does not exceed 2.5 metres in any dimension.
P3	Lighting masts that are located at least 400 metres from Horotiu Road and not exceeding a height of 25 metres.
RD1	(a) Any aerial, antenna or lighting mast that does not comply with Rule 20.5.4.3 P1, P2 or P3 (b) Council's discretion is restricted to the following matter: (i) the extent to which visual amenity in the Residential Zone is maintained.

20.5.5 Subdivision - General

RD1	(a) Subdivision must comply with the following conditions: (i) proposed lots (excluding access allotments and utility allotments) must have a minimum net site area of 500m ² (ii) proposed network utility allotments must have a minimum net site area of 100m ² . (b) Council's discretion is restricted to the following matter: (i) the extent to which a range of future industrial activities can be accommodated.
DI	Subdivision that does not comply with Rule 20.5.5 RD1.

Consequential amendments to planning maps

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

