

24 Industrial Zone Rules

24.1 to 24.3 Introduction

24.1

The rules in this chapter apply in the Heavy Industrial Zone and the Light Industrial Zone. All rules apply to both zones, unless otherwise stated. This chapter is divided into:

- Introduction
- Prohibited Activities
- Other Activities
 - Land Use Activities rule table
 - Land Use Effects rule table
 - Land Use Building rule table
 - Subdivision rule table.

All activities in the Te Kauwhata Structure Plan area are also subject to rules in [Schedule 24D: Te Kauwhata Structure Plan Industrial Zone Rules](#).

24.2

Both the Light and Heavy industrial zones allow for a wide variety of activities. Differences between the zones arise in relation to noise standards, building and aerial height, building setbacks, subdivision allotment sizes, and hours of operation in the Light Industrial Zone adjoining the Living Zone.

It is expected that activities within the Heavy Industrial Zone will include 24-hour operations, involving large machinery and heavy traffic.

Rules for both of the industrial zones seek to manage activities so that any adverse effects (such as noise) do not detract from a reasonable working environment within the zones and to ensure a reasonable standard of urban design to preserve amenity and streetscape values. Residential uses are strictly controlled, to avoid reverse sensitivity issues. Both zones adjoin the Living Zone in some places. Mitigation of impacts on surrounding Living Zones areas is provided for, although it is anticipated that adjoining Living Zone areas will receive some cross-boundary effects. At Horotiu, Huntly and Meremere, residential areas have historically been associated with the freezing works and power stations, and the accepted amenity values incorporate the effects of these activities.

24.3

See [Chapter 18](#) for an explanation of activity types, applications and assessment procedures. Principal reasons for rules are in [Chapter 29](#).

Any activity is permitted if it is not listed as prohibited, and it complies with conditions for permitted activities stated in every row of the rule tables.

Any activity requires resource consent if it fails to comply with a permitted activity condition in any row of the rule tables, or the rules directly state that a resource consent category applies.

Rule tables consist of horizontal rows. Each row contains 3 cells. In each row, the left-hand cell indicates the subject matter, the middle cell states conditions that must be satisfied for the relevant activity or effect to be a permitted activity, and the right-hand cell states the kind of resource consent application required, if the permitted activity conditions in that row are not complied with.

The rule tables state matters that control is reserved over, and matters to which discretion is restricted, as appropriate. Additional matters of control and discretion, applicable to every rule are stated in [Chapter 20](#): General Rules.

NOTE : All activities in the Te Kauwhata Structure Plan area are also subject to rules in [Schedule 24D](#): Te Kauwhata Structure Plan Industrial Zone Rules.

24.5 Prohibited Activities

24.5

The following activities are prohibited activities for which no resource consent shall be granted:

Land use

- (a) a residential activity except for a dwelling for a caretaker or security personnel and except for activities specified in [Schedule 24A](#)
- (b) deleted

Building

- (c) deleted

24.10 to 24.79 Other Activities

Editorial Note:

For rules for Telecommunication Facilities on Road Reserves see the National Environmental Standards in [Appendix Od](#).

For rules for Electricity Transmission Activities see the National Environmental Standards in [Appendix Oe](#).

For rules for the following activities which are proposed to occur on land where an activity or industry listed in the Ministry for the Environment's Hazardous Activities and Industries List (HAIL) is being or has been undertaken, or where it is more likely than not that a HAIL activity is being or has been undertaken, see the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 in [Appendix Of](#):

- Removing or replacing a fuel storage system;
- Sampling soil;
- Disturbing soil;
- Subdividing land; or
- Changing the use of land.

24.10 Land Use – Activities

ITEM	PERMITTED	RESOURCE CONSENT
<p>24.10 Type of activity</p>	<p>24.10.1 Any activity that complies with all effects and building rules is a permitted activity except:</p> <ul style="list-style-type: none"> (a) hazardous waste reprocessing, disposal or storage, except for temporary storage of waste from commercial activities awaiting collection, or (b) an extractive industry, or (c) offices, except those that are ancillary to industrial uses, or (d) hospitals, day-care facilities, and educational institutions or, (da) retail activities, except for food outlets less than 200m². 	<p>24.10.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>

24.11 to 24.41A Land Use – Effects

24.11 On-site services

ITEM	PERMITTED	RESOURCE CONSENT
<p>24.11 On-site services</p>	<p>24.11.1 Any activity is a permitted activity if:</p> <ul style="list-style-type: none"> (a) the site is connected to a telecommunications network and energy supply network or has a stand-alone energy supply, and (b) the site is <ul style="list-style-type: none"> (i) connected to reticulated water supply, stormwater and wastewater disposal networks where available, or (ii) (provided with an alternative method of water supply, stormwater and wastewater disposal that complies with Appendix B (Engineering Standards), and (c) services are placed underground where reticulated services are already underground. <p>Despite (a), condition (a) does not apply to stand alone electricity generation infrastructure sites.</p>	<p>24.11.2 Any activity that does not comply with a condition for a permitted activity is a restricted discretionary activity.</p> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> • matters referred to in Appendix B (Engineering Standards) • ability of the site to be self sufficient in terms of services • ability to provide service connections at a later date • ability to impose encumbrance on the title regarding the site's deficiency in terms of service connections • health and safety effects • amenity values

24.12 Network utility (excluding aerials)

ITEM	PERMITTED	RESOURCE CONSENT
<p>24.12 Network utility (excluding aerials)</p>	<p>24.12.1 Any activity is a permitted activity if:</p> <ul style="list-style-type: none"> (a) it is not a high-pressure gas line with a gauge pressure of 2000 kilopascals or more, and (b) it is not an electricity line of 110kV or more, and (c) either <ul style="list-style-type: none"> (i) pipes and cables are located underground, or (ii) above-ground structures for electricity, gas and telecommunications (excluding aerials): <ul style="list-style-type: none"> • do not exceed 10m² in area and no setback is required, and • in road reserves, do not exceed 2.4m in height, and • outside road reserves, do not exceed 2.8m in height, and • deleted • deleted • do not compromise road or pedestrian safety, and (d) construction of a road complies with the conditions in Appendix A (Traffic) and the conditions in Appendix B (Engineering Standards) (e) deleted 	<p>24.12.2 Any activity that does not comply with a condition for a permitted activity is a restricted discretionary activity if:</p> <ul style="list-style-type: none"> (a) it is an electricity line exceeding 110kV. <p>Discretion restricted to:</p> <ul style="list-style-type: none"> • matters referred to in Appendix A (Traffic) and Appendix B (Engineering Standards) • visual effects particularly when viewed from public places • landscaping • effect on daylight and sunlight to other properties, • road and pedestrian safety • building setbacks • reinstatement • location of utilities • reverse sensitivity and safety <p>24.12.3 Any activity that does not comply with a condition for a restricted discretionary activity is a discretionary activity.</p>

24.12A Existing electricity and telecommunications lines

ITEM	PERMITTED	RESOURCE CONSENT
24.12A Existing electricity and telecommunications lines	<p>24.12A.1</p> <p>Despite rules 24.12.1(b), 24.42.1(b), (c),(d) and (e), 24.43 and 24.45, the operation, maintenance, minor upgrading and removal of existing electricity and telecommunications lines is a permitted activity if:</p> <p>(a) the existing voltage is not increased, and</p> <p>(b) the height of support structures (excluding earthwires, earthpeaks and lightning rods) is not increased, and</p> <p>(c) the ground is reinstated on completion of works.</p>	<p>24.12A.2</p> <p>Any activity that does not comply with a condition for a permitted activity is a restricted discretionary activity.</p> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> • visual effect • degree of increase in voltage • degree of increase in height of support structure • change in visual effect • need for reinstatement

24.13 Deleted

24.14 Access, vehicle entrance, parking, loading and manoeuvring space

ITEM	PERMITTED	RESOURCE CONSENT
24.14 Access, vehicle entrance, parking, loading and manoeuvring space	<p>24.14.1</p> <p>Any activity is a permitted activity if:</p> <p>(a) access, vehicle entrance crossing, parking, loading, queuing, and manoeuvring space is provided in accordance with Appendix A (Traffic), and</p> <p>(b) no access, vehicle entrance crossing, parking, loading or manoeuvring space is within 10m of the Living Zone.</p>	<p>24.14.2</p> <p>Any activity that does not comply with a condition for a permitted activity requires resource consent as stated in the appendix, or is a restricted discretionary activity if not otherwise specified.</p> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> • safety design for vehicles and pedestrians • means to avoid, remedy or mitigate effects on amenity • number, area, type and location of parking spaces • stormwater management • construction and materials of parking, loading and manoeuvring spaces • type and frequency of use.

24.15 Vehicle Movements

ITEM	PERMITTED	RESOURCE CONSENT
<p>24.15 Vehicle movements</p>	<p>24.15.1 Any activity is a permitted activity if:</p> <ul style="list-style-type: none"> (a) it does not involve more than 250 vehicle movements per day; or (b) it is from the Huntly Power Station site shown as the Heavy Industrial Zone on Planning Map 29 and <ul style="list-style-type: none"> (i) all traffic movements generated from all activities on the site combined (including those movements which were lawfully established prior to 5 December 2012 do not involve more than 750 vehicle movements per day, and (ii) no more than 300 of these vehicle movements are Heavy Vehicle movements, or (c) it is from the Greenhill Quarry site as identified in Figure 24C(A), and <ul style="list-style-type: none"> (i) all traffic movements generated from all activities on the site combined (excluding those movements which were lawfully established prior to 5 December 2012 do not involve more than 350 vehicle movements per day, and (ii) no more than 150 of these vehicle movements are Heavy Vehicle movements, increasing to 200 once the Huntly Bypass section of the Waikato Expressway is open for public use, or (d) it is from land accessed via the Te Rapa Interchange adjacent to the Te Rapa Dairy Factory. <p>NOTE: please refer to Appendix A for other rules applying to traffic movements.</p>	<p>24.15.2 Any activity that does not comply with a condition for a permitted activity is a restricted discretionary activity.</p> <p>In relation to an activity which does not comply with Rule 24.15.1(a), (b) and (c), discretion restricted to:</p> <ul style="list-style-type: none"> • Effects of traffic movements on amenity including noise, dust, odour and the visual clutter of parked cars. <p>24.15.3 Any activity that does not comply with a condition for a restricted discretionary activity is a discretionary activity</p>

24.16 Servicing and operation hours

ITEM	PERMITTED	RESOURCE CONSENT
<p>24.16 Servicing and operation hours</p>	<p>24.16.1 Any activity in the Light Industrial Zone that adjoins a Living Zone is a permitted activity if:</p> <p>(a) the activity does not load or unload vehicles or receive customers or deliveries before 7.30am or after 6.30pm.</p>	<p>24.16.2 Any activity that does not comply with a condition for a permitted activity is a restricted discretionary activity.</p> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> • effects on amenity values • distance to nearest habitable dwelling • hours of operation • nature and frequency of after hours activity • noise, lighting and glare • traffic generation and effects • type of vehicles involved

24.17 Landscaping

ITEM	PERMITTED	RESOURCE CONSENT
<p>24.17 Landscaping</p>	<p>24.17.1 Any activity is permitted if:</p> <ul style="list-style-type: none"> (a) parking areas and storage areas adjacent to roads are separated from the roads by a 2m planted strip of land, and (b) land within 5m of any boundary adjoining a Living Zone is planted with indigenous species that will achieve an average height of 3m after 5 years and sufficient density to visually screen the activity from the Living Zone, and (c) land within 15m of the bank of the Waikato River is planted with indigenous species of sufficient density to visually screen the activity from the river, except for areas used for water take and discharge structures and associated infrastructure, and access to these, and (ca) land within 2m of a national or regional arterial route is planted with a combination of lawn, indigenous groundcover, shrubs and trees. 	<p>24.17.2 Any activity that does not comply with a condition for a permitted activity is a restricted discretionary activity.</p> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> • effects on amenity values • visual effect • alternative ways to achieve screening • vegetation species • safe site ingress and egress • preservation of sight distances • height of landscaping • growth rate of species • planting plan • natural character and cultural values of Waikato River.

24.18 Noise - Light Industrial Zone

ITEM	PERMITTED	RESOURCE CONSENT
<p>24.18 Noise</p> <ul style="list-style-type: none"> • Light Industrial Zone 	<p>24.18.1</p> <p>Any activity in the Light Industrial Zone is a permitted activity if it is designed and conducted so that noise from the activity measured at any other site:</p> <p style="margin-left: 40px;">(a) in the Light Industrial Zone, does not exceed</p> <p style="margin-left: 80px;">(i) 75dBA (L10), 7am to 10pm</p> <p style="margin-left: 80px;">(ii) 45dBA (L10), 10pm to 7am the following day</p> <p style="margin-left: 80px;">(iii) 75dBA (Lmax)), 10pm to 7am the following day, and</p> <p style="margin-left: 40px;">(b) in another zone (except the Heavy Industrial Zone), does not exceed</p> <p style="margin-left: 80px;">(i) 55dBA (L10), 7am to 10pm</p> <p style="margin-left: 80px;">(ii) 40dBA (L10), 10pm to 7am the following day</p> <p style="margin-left: 80px;">(iii) 70dBA (Lmax), 10pm to 7am the following day.</p> <p>Despite the above, construction noise and emergency sirens are not subject to this rule.</p>	<p>24.18.2</p> <p>Any activity that does not comply with a condition for a permitted activity is a restricted discretionary activity.</p> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> • effects on amenity values • hours of operation • location of noise sources in relation to boundaries • frequency or other special characteristics of noise • mitigation measures • noise levels and duration

24.19 Noise - Heavy Industrial Zone

ITEM	PERMITTED	RESOURCE CONSENT
<p>24.19 Noise</p> <ul style="list-style-type: none"> • Heavy Industrial Zone 	<p>24.19.1</p> <p>Any activity in the Heavy Industrial Zone (except activities on the Te Rapa Dairy Factory) is a permitted activity if it is designed and conducted so that noise from the activity measured at any other site:</p> <ul style="list-style-type: none"> (a) does not exceed 75dBA (L_{10}) at any time, and (b) in another zone, (except the Light Industrial Zone) does not exceed <ul style="list-style-type: none"> (i) 55dBA (L_{10}), 7am to 10pm (ii) 45dBA (L_{10}) and 75dBA (L_{max}), 10pm to 7am the following day, and (c) in the Light Industrial Zone, does not exceed the permitted activity standards for noise generated in that zone. <p>Despite the above, construction noise is not subject to this rule.</p>	<p>24.19.2</p> <p>Any activity that does not comply with a condition for a permitted activity is a restricted discretionary activity.</p> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> • effects on amenity values • hours of operation • location of noise sources in relation to boundaries • frequency or other special characteristics of noise • mitigation measures • noise levels and duration

24.19A Noise - Heavy Industrial Zone – Huntly Power Station

ITEM	PERMITTED	RESOURCE CONSENT
<p>24.19A Noise</p> <ul style="list-style-type: none"> • Heavy Industrial Zone - Huntly Power Station 	<p>24.19A.1</p> <p>Notwithstanding Rule 24.19, any activity in the Huntly Power Station Heavy Industrial Zone is a permitted activity if it is designed and conducted so that noise from the activity, other than construction noise, measured:</p> <p>(a) at the notional boundary of any dwelling house existing as at 25 September 2004 in the Rural Zone does not exceed:</p> <ul style="list-style-type: none"> (i) 55dB (LAeq), 7am to 10pm (ii) 45dB (LAeq) and 75dB (L_{Amax}), 10pm to 7am the following day. <p>(b) at the site boundary of any dwelling house existing as at 25 September 2004 in the Living Zone does not exceed:</p> <ul style="list-style-type: none"> (i) 50dBA (L₁₀), 7am to 7pm, Monday to Saturday, and (ii) 45dBA (L₁₀), 7pm to 10pm, Monday to Saturday; and (iii) 40dBA (L₁₀), and 65dBA (L_{max}) all other times and public holidays. 	<p>24.19A.2</p> <p>Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>

24.19AA Noise Te Rapa Dairy Factory

ITEM	PERMITTED	RESOURCE CONSENT
24.19AA Noise Te Rapa Dairy Factory	24.19.1AA Any activity on the Te Rapa Dairy Factory site is a permitted activity if it is designed and conducted so that night-time noise from site activities, other than construction noise, measured at the Noise Control Boundary shown on Planning Map 37 does not exceed 45dBA(Leq).	24.149.2AA Any activity that does not comply with the condition for a permitted activity is a discretionary activity.

24.20 Construction Noise

ITEM	PERMITTED	RESOURCE CONSENT
24.20 Construction noise	24.20.1 Any activity is a permitted activity if: (a) it is designed and conducted so that construction noise from the activity complies with Appendix N (Construction Noise).	24.20.2 Any activity that does not comply with a condition for a permitted activity is a restricted discretionary activity. Discretion restricted to: <ul style="list-style-type: none"> • effects on amenity values • hours of construction • noise levels and duration • methods of construction • matters listed in Appendix N

24.21 Vibration

ITEM	PERMITTED	RESOURCE CONSENT
24.21 Vibration	<p>24.21.1</p> <p>Any activity is a permitted activity if:</p> <p>(a) vibration arising from the activity complies with Appendix I (Ground Vibration).</p>	<p>24.21.2</p> <p>Any activity that does not comply with a condition for a permitted activity is a restricted discretionary activity.</p> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> • matters referred to in Appendix I (Ground Vibration) • effects on amenity values • hours of operation • duration and intensity • mitigation measures

24.22 Glare and lighting

ITEM	PERMITTED	RESOURCE CONSENT
24.22 Glare and lighting	<p>24.22.1</p> <p>Any activity is a permitted activity if light spill from artificial lighting, other than a streetlight, navigation light, traffic signal, or from vehicles or equipment used in farming and agricultural activities:</p> <p>(a) does not exceed 10 lux measured vertically at any other site.</p> <p>(b) deleted</p>	<p>24.22.2</p> <p>Any activity that does not comply with a condition for a permitted activity is a restricted discretionary activity.</p> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> • effects on amenity values • light spill levels on other sites • road safety. • duration and frequency

24.23 Dust, smoke, fumes, or odour or ground level

ITEM	PERMITTED	RESOURCE CONSENT
24.23 Dust, smoke, fumes, or odour or ground level	24.23.1 Any activity is a permitted activity if: (a) there is no objectionable or offensive dust, smoke, fumes or odour having adverse effects at any other site, and (b) stockpiles of loose material are contained or maintained to prevent dispersal of the material into the air, and (ba) earthworks undertaken within 20m of the centreline of an electricity transmission line with a voltage of 110kV or more do not generate adverse effects of dust on the transmission lines or raise the ground level.	24.23.2 Any activity that does not comply with a condition for a permitted activity is a restricted discretionary activity. Discretion restricted to: <ul style="list-style-type: none"> • effects on amenity values of any other zone, particularly sensitive activities • mitigation measures • effects on public safety • effects on the operation of transmission lines greater than 110kV

24.24 High-frequency electromagnetic field

ITEM	PERMITTED	RESOURCE CONSENT
24.24 High-frequency electromagnetic field	24.24.1 Any activity is a permitted activity if: (a) any electromagnetic field does not exceed the maximum exposure level in NZS2772.1:1999 Radiofrequency Fields Part 1: Maximum exposure levels 3kHz - 300GHz when measured in accordance with NZS6609.2:1990.	24.24.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.

24.25 Earthworks

ITEM	PERMITTED	RESOURCE CONSENT
<p>24.25 Earthworks</p>	<p>24.25.1 Any activity is a permitted activity if earthworks:</p> <ul style="list-style-type: none"> (a) are not in the Flood Risk Area except for filling in accordance with rules 24.27 and (aa) are not in the Huntly East Mine Subsidence Area, and (b) comply with Appendix B (Engineering Standards), and (c) within 5m of the site boundary, including cut and batter faces or filled areas, are revegetated to achieve 80% ground cover within 12 months of the earthworks being commenced, and (d) do not remove material from the site, and (e) retain sediment on the site through implementation and maintenance of sediment controls, and (f) do not adversely affect other land through changes in natural water flows or established drainage paths, and (fa) deleted (fb) do not occur within 15m of the bank of the Waikato River, and (fc) do not disturb or move more than 150m³ in the Landscape Policy Area, and (g) the area of earthworks does not exceed 1ha. <p>Despite (g), the following earthworks are permitted if they comply with (a) to (fc),</p> <ul style="list-style-type: none"> (h) the work: <ul style="list-style-type: none"> (i) is part of an approved subdivision, or 	<p>24.25.2 Any activity that does not comply with a condition for a permitted activity is a restricted discretionary activity if it is:</p> <ul style="list-style-type: none"> (a) within a Flood Risk Area except for in accordance with rules 24.27 and 24.28; and (b) within the Huntly East Mine Subsidence Area; and (c) do not comply with Appendix B; and (d) within 5m of site boundary including cut and batter faces or filled areas are revegetated to achieve less than 80% ground cover within 12 months of earthworks commencement; and (e) removes material from the site <p>Discretion restricted to:</p> <ul style="list-style-type: none"> • effects on amenity values • visual effects • mitigation measures including sediment control • matters listed in Appendix B • effects on land utilisation • effects on erosion • effects on cultural values <p>24.25.3 Any activity that does not comply with a condition for a restricted discretionary activity is a discretionary activity.</p>

Waikato District Plan - Waikato Section

- (ii) is necessary for building works authorised by a building consent, and the area of earthworks is no more than 150% of the area of those building works or occurs on land with an average gradient no steeper than 1:8 or
- (iii) is a backfilled trench for network utilities, and original ground levels are reinstated, (such trenches are also exempt from (d)), or
- (iiia) is for construction and maintenance of existing public roads.

Despite (fb) and (fc), the following earthworks are permitted:

- (hi) the work:
 - (i) is limited only to the de-sludging of the mixing ponds at the Te Rapa Dairy Factory Heavy Industrial Zone

24.26 Earthworks - filling using imported fill

ITEM	PERMITTED	RESOURCE CONSENT
<p>24.26 Earthworks</p> <ul style="list-style-type: none"> • filling using imported fill 	<p>24.26.1 Any activity is a permitted activity if:</p> <ul style="list-style-type: none"> (a) all material for filling is clean fill, and (b) filling <ul style="list-style-type: none"> (i) that is part of building work approved by a building consent is carried out in accordance with NZS4431:1989 Code of Practice for earth fill for residential development, or (ii) that is not part of building work does not include a building platform, and (iia) does not include placing fill into an area of significant indigenous vegetation or habitat, and (iib) that is for minor upgrading of existing electricity lines does not exceed 50m³. 	<p>24.26.2 Any activity that does not comply with a condition for a permitted activity is a restricted discretionary activity except where:</p> <ul style="list-style-type: none"> (a) any material for filling is not clean fill, and (b) fill is placed into an area of significant indigenous vegetation or habitat <p>Discretion restricted to:</p> <ul style="list-style-type: none"> • effects on amenity values • visual effects • sediment control and other mitigation measures • matters listed in Appendix B • effects on land utilisation • effects on erosion • effects on cultural values <p>24.26.3 Any activity that does not comply with a condition for a restricted discretionary activity is a discretionary activity.</p>

24.27 Filling - Flood Risk Area

ITEM	PERMITTED	RESOURCE CONSENT
<p>24.27 Filling</p> <ul style="list-style-type: none"> • Flood Risk Area 	<p>24.27.1</p> <p>Any activity in a Flood Risk Area (excluding Huntly South Assessment Area 1) is a permitted activity if:</p> <p style="padding-left: 40px;">(a) filling is no more than is necessary to</p> <p style="padding-left: 80px;">(i) provide a foundation for building approved by a building consent, and access to that building, or</p> <p style="padding-left: 40px;">(ia) enable minor upgrading of existing electricity lines and does not exceed 50m³.</p>	<p>24.27.2</p> <p>Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>

Waikato District Plan - Waikato Section

24.28 Deleted

24.29 Deleted

24.30 Contaminated land - remediation

ITEM	PERMITTED	RESOURCE CONSENT
------	-----------	------------------

Waikato District Plan - Waikato Section

<p>24.30 Contaminated land</p> <ul style="list-style-type: none"> • remediation 	<p>24.30.1 Any activity is a permitted activity if:</p> <p>(a) remediation of contaminated land</p> <p>(i) does not cause a greater risk to the environment than if the work was not done, and</p> <p>(ii) is not within</p> <ul style="list-style-type: none"> • a significant indigenous vegetation or habitat area, or • the Landscape Policy Area, or • the Flood Risk Area, or • 50m of mean high water springs or a water body, and <p>(iii) disposes of removed material in a location approved for the receipt of such material, and</p> <p>(iv) is reported to the Council by the land owner at the completion of the work detailing</p> <ul style="list-style-type: none"> • the work done and the results obtained, and • the nature and location of remaining contaminated material on-site, and • as-built plans and specifications of any permanent containment structure and <p>(b) the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 in Appendix Of</p> <p>(i) does not apply to the activity, or</p> <p>(ii) does apply and the activity meets the permitted activity requirements set out in Regulation 8.</p>	<p>24.30.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity except</p> <p>(a) where compliance with 24.30.1(b)(ii) is not achieved the activity status is determined by the NES.</p>
--	--	---

24.31 Hazardous substances

ITEM	PERMITTED	RESOURCE CONSENT
<p>24.31 Hazardous substances</p>	<p>24.31.1 Any activity is a permitted activity if:</p> <ul style="list-style-type: none"> (a) storage or use of hazardous substances complies with Appendix H (Hazardous Substances), or (b) the hazardous substances stored or used on the site are: <ul style="list-style-type: none"> (i) at a refuse transfer station, or trade waste in a wastewater treatment facility that complies with Appendix B (Engineering Standards), or (ii) (roading materials within a road reserve, or (iii) domestic storage and use of consumer products for domestic purposes, or (iv) consumer products, held for resale to the public and stored in the manufacturers' packaging, or (v) gas or oil pipelines and ancillary equipment, or (vi) fuel or safety equipment in motor vehicles, aircraft, ships, boats or small engines, or (vii) small fireworks subject to the Hazardous Substances (Fireworks) Regulations 2001, or safety ammunition, in domestic quantities, or (viii) fire-fighting substances on emergency vehicles. 	<p>24.31.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>

24.32 Radioactive materials

ITEM	PERMITTED	RESOURCE CONSENT
24.32 Radioactive materials	<p>24.32.1</p> <p>Any activity is a permitted activity if:</p> <ul style="list-style-type: none"> (a) radioactivity is below that specified as an exempt activity in the Radiation Protection Regulations 1982, or (b) radioactive materials are confined to domestic appliances. 	<p>24.32.2</p> <p>Any activity that does not comply with a condition for a permitted activity is a discretionary activity if:</p> <ul style="list-style-type: none"> (a) radioactivity does not exceed 10 terabecquerels. <p>24.32.3</p> <p>Any activity that does not comply with a condition for a discretionary activity is a non-complying activity.</p>

24.33 Wastewater treatment

ITEM	PERMITTED	RESOURCE CONSENT
24.33 Wastewater treatment	<p>24.33.1</p> <p>Any activity is a permitted activity if:</p> <ul style="list-style-type: none"> (a) ponds used for processing or storing wastewater are set back at least <ul style="list-style-type: none"> (i) 300m from a dwelling, and (ii) 30m from the site boundary, or (b) a wastewater plant serving 3 or more dwellings, where wastewater treatment is fully enclosed, is set back at least <ul style="list-style-type: none"> (i) 30m from a dwelling, and (ii) 15m from the site boundary. 	<p>24.33.2</p> <p>Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>

24.34 Plant or animal effluent disposal

ITEM	PERMITTED	RESOURCE CONSENT
24.34 Plant or animal effluent disposal	24.34.1 Any activity is a permitted activity if: (a) treatment and application of liquid effluent derived from plants or animals, or whey, (including disposal onto land by spray irrigation) (i) is set back at least 300m from a habitable building, educational facility, marae or community hall, and (ii) is operated at times and in wind conditions so as to mitigate adverse effects.	24.34.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.

24.35 Notable tree - removal or destruction

ITEM	PERMITTED	RESOURCE CONSENT
24.35 Notable tree • removal or destruction	24.35.1	24.35.2 Removal or destruction of a tree identified in Appendix F (Notable Trees) is a discretionary activity.

24.36 Notable tree - trimming

ITEM	PERMITTED	RESOURCE CONSENT
<p>24.36 Notable tree</p> <ul style="list-style-type: none"> • trimming 	<p>24.36.1 Any activity is a permitted activity if:</p> <p>(a) trimming of a tree identified in Appendix F (Notable Trees) is:</p> <p>(i) either</p> <ul style="list-style-type: none"> • to remove dead, dying, diseased, crowded, weakly attached, low-vigour branches and water shoots from a tree crown, or • cutting of a branch or root less than 50mm thick (cross section) and no more than 15% of the foliage of the tree is removed, or • the balanced removal of lower branches of a tree on road reserve, and <p>(ii) done in accordance with accepted arboricultural practice, and</p> <p>(iii) necessary to protect people's health and safety, or protect structures or utilities.</p>	<p>24.36.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>

24.37 Notable tree - activities within the drip line

ITEM	PERMITTED	RESOURCE CONSENT
<p>24.37 Notable tree</p> <ul style="list-style-type: none"> • activities within the drip line 	<p>24.37.1 Any activity within the drip line of a tree identified in Appendix F (Notable Trees) is a permitted activity if:</p> <p>(a) it does not involve compaction, sealing or soil disturbance except for sealing of an existing road or footpath, and</p> <p>(b) it does not involve parking or storage of materials, vehicles or machinery, and</p> <p>(c) there is no discharge of an ecotoxic substance, and</p> <p>(d) there is no construction of structures.</p>	<p>24.37.2 Any activity that does not comply with a condition for a permitted activity is a restricted discretionary activity.</p> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> • location of activity in relation to the tree • timing and manner in which the activity is carried out • remedial measures • protection of the tree.

24.38 Sale of liquor

ITEM	PERMITTED	RESOURCE CONSENT
<p>24.38 Sale of liquor</p>	<p>24.38.1 Any activity is a permitted activity if the sale of liquor:</p> <ul style="list-style-type: none"> (a) is authorised by a special licence, or (b) in the case of any other licence does not occur: <ul style="list-style-type: none"> (i) between 10pm and 7am, or (ii) on a site within 50m of land in the Living Zone, or (iii) on a site within 50m of dwelling in the Pa, Rural, Coastal, Country Living or Recreation Zones. 	<p>24.38.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>

24.39 Signs - advertising signs

ITEM	PERMITTED	RESOURCE CONSENT
<p>24.39 Signs</p> <ul style="list-style-type: none"> • advertising signs 	<p>24.39.1</p> <p>Any activity is a permitted activity if an advertising sign visible from a public place:</p> <ul style="list-style-type: none"> (a) does not exceed 15m in height, and (b) is not on or above the road reserve, other than a traffic sign or safety sign erected by a public authority, and (c) is attached to a building and <ul style="list-style-type: none"> (i) does not extend beyond 300mm from the building wall, and (ii) does not exceed the height of the building, and (iii) does not obscure any notable architectural feature of the building, and (d) is a free standing sign and <ul style="list-style-type: none"> (i) does not exceed 10m in height, and (ii) does not exceed an area of <ul style="list-style-type: none"> • 3m² for one sign per site, and • 1m² for any other free standing sign on the site, and (iii) is set back at least 5m from the boundary of the Living Zone, and (e) is an illuminated sign and <ul style="list-style-type: none"> (i) does not have a light source that flashes or moves, and (ii) does not contain moving parts or reflective materials, and (ea) is setback at least 15m from an expressway, or the proposed Waikato Expressway, and (f) is not attached to a heritage item listed in Appendix C1 (Historic Heritage Items), site of significance to Maaori, or a tree identified in Appendix F (Notable Trees), except for the purpose of identification. 	<p>24.39.2</p> <p>Any advertising sign that does not comply with a condition for a permitted activity is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> • amenity values, streetscape and character of the locality. • glare and light spill • traffic safety • effect on heritage values of any heritage item due to the size, location, design and appearance of a sign.

24.40 Signs - effects on traffic

ITEM	PERMITTED	RESOURCE CONSENT
<p>24.40 Signs</p> <ul style="list-style-type: none"> • effects on traffic 	<p>24.40.1</p> <p>Any advertising sign directed at drivers is a permitted activity if the sign:</p> <ul style="list-style-type: none"> (a) does not imitate the content, colour or appearance of traffic control signs, and (b) contains no more than 40 characters or 6 symbols, and (c) has lettering that is at least 124mm high, and (d) is at least 150m from a site entrance, where the sign directs traffic to an entrance, and (e) does not obscure sight lines of drivers turning into or out of entrances on any site. 	<p>24.40.2</p> <p>Any activity that does not comply with a condition for a permitted activity is a restricted discretionary activity if the sign:</p> <ul style="list-style-type: none"> (a) contains more than 40 characters or 6 symbols <p>Discretion restricted to:</p> <ul style="list-style-type: none"> • effects on amenity values including cumulative effects • effects on the safe and efficient operation of the road network • distraction to motorists from the signs within the speed environment • size and number of characters and symbols • size of sign and support structure • visual appearance <p>24.40.3</p> <p>Any activity that does not comply with a condition for a restricted discretionary activity, is a discretionary activity.</p>

24.40A Outdoor storage - Huntly Power Station

ITEM	PERMITTED	RESOURCE CONSENT
<p>24.40A</p> <p>Outdoor storage</p> <ul style="list-style-type: none"> • Huntly Power Station 	<p>24.40A.1</p> <p>Any activity is a permitted activity if outdoor stacks or stockpiles of goods or materials are:</p> <ul style="list-style-type: none"> (a) stockpiles of coal located within existing stockpile areas on the Huntly Power Station site as shown on the planning maps. 	<p>24.40A.2</p> <p>Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>

24.41 Outdoor storage

ITEM	PERMITTED	RESOURCE CONSENT
<p>24.41 Outdoor storage</p>	<p>24.41.1 Any activity is a permitted activity if outdoor stacks or stockpiles of goods or materials:</p> <ul style="list-style-type: none"> (a) do not exceed a height of 9m, and (b) do not exceed 30% site coverage, and (c) are screened from view from <ul style="list-style-type: none"> (i) a public road or reserve, or (ii) an adjoining site in another zone. <p>Note: Coal stockpiles at Huntly Power Station are subject to rule 24.40A.</p>	<p>24.41.2 Any activity that does not comply with a condition for a permitted activity is a restricted discretionary activity if outdoor stacks or stockpiles:</p> <ul style="list-style-type: none"> (a) do not exceed 35% site coverage, and (b) do not exceed 12 metres in height <p>Discretion restricted to</p> <ul style="list-style-type: none"> • effects on amenity values • visual impact • nature, scale and location of screening • proximity and height of stockpiles to road reserve or other sites • access to sunlight and daylight • safety of road users and pedestrians. <p>24.41.3 Any activity that does not comply with a condition for a restricted discretionary activity, is a discretionary activity.</p>

24.41A Indigenous vegetation clearance - Landscape Policy Area

ITEM	PERMITTED	RESOURCE CONSENT
<p>24.41A Indigenous vegetation clearance</p> <ul style="list-style-type: none"> • Landscape Policy Area 	<p>24.41A.1 Vegetation clearance of indigenous vegetation or habitat of indigenous fauna in a Landscape Policy Area is a permitted activity if it is</p> <p>(a) at least 10m from a water body and it does not exceed 500m² per site in a 3 year period, or</p> <p>(b) for the following purposes:</p> <p>(i) removal of vegetation that endangers human life or existing buildings or structures, or poses a risk to the integrity of, the safe use of, or access to existing network utilities, or</p> <p>(ii) (stream or river crossings or the formation of farm drains⁸, or</p> <p>(c) the Council certifies that the vegetation to be cleared is not significant indigenous vegetation or significant habitat of indigenous fauna.⁹</p>	<p>24.41A.2 Any activity that does not comply with a condition for a permitted activity is a restricted discretionary activity.</p> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> • effect on landscape values • effect on ecological values • effect on significant indigenous vegetation and habitat • effect on amenity values • effect on natural character of water bodies and the coastal environment • remediation or mitigation measures • effects on social, cultural and economic wellbeing • relocation of species

⁸ The Waikato Regional Plan contains rules relating to the clearance of vegetation in “high risk erosion areas”, and adjacent to water courses, and rules relating to tracking and earthworks and works within water courses. Resource consents may be required from the Waikato Regional Council for these activities.

⁹ Refer to section 2.4.1(a)

24.42 to 24.54A Land Use – Building

24.42 Building height

ITEM	PERMITTED	RESOURCE CONSENT
<p>24.42 Building height</p>	<p>24.42.1 Construction or alteration of a building or structure is a permitted activity if:</p> <ul style="list-style-type: none"> (a) it does not protrude through the obstacle limitation surfaces defined in Chapter 30, Designation N1 (Hamilton Airport), and (b) it is in the Heavy Industrial Zone, and <ul style="list-style-type: none"> (i) height does not exceed 25m, and (ii) height does not exceed 15m on 90% of the site, or (c) it is at the Huntly Power Station, or the Te Rapa dairy factory, and <ul style="list-style-type: none"> (i) height does not exceed 50m, and (ii) height does not exceed 35m on 90% of the site (d) it is in the Light Industrial Zone and height does not exceed 10m, or (da) it is in the Light Industrial Zone along Tregoweth Lane, Huntly, and <ul style="list-style-type: none"> (i) height does not exceed 10m if the building is within 50m of the Living Zone, or (ii) height does not exceed 15m elsewhere, and (f) it is in the Landscape Policy Area and height does not exceed 7.5m. 	<p>24.42.2 Any activity that does not comply with a condition for a permitted activity is a restricted discretionary activity except:</p> <ul style="list-style-type: none"> (a) In the Heavy Industrial Zone and the height exceeds 15m on 90% of the site. <p>Discretion restricted to:</p> <ul style="list-style-type: none"> • building form, bulk, location, external cladding and colour • extent of area of non-compliance • effect on the safe and efficient operation of Hamilton Airport • access to daylight and sunlight • effects on wind patterns • visibility of the proposed buildings from other zones • effects on the Landscape Policy Area <p>24.42.3 Any activity that does not comply with a condition for a restricted discretionary activity is a discretionary activity.</p>

24.43 Daylight admission

ITEM	PERMITTED	RESOURCE CONSENT
24.43 Daylight admission	<p>24.43.1</p> <p>Construction or alteration of a building or stockpiling of materials is a permitted activity if:</p> <p>(a) the building or stockpile does not protrude through a height control plane rising at an angle of</p> <p>(i) 45 degrees commencing at an elevation of 2.5m above ground level at every point of the zone boundary, or</p> <p>(ii) 37 degrees commencing at an elevation of 2.5m above ground level at every point of the zone boundary between south-east or south-west of the building or stockpile.</p>	<p>24.43.2</p> <p>Any activity that does not comply with a condition for a permitted activity is a restricted discretionary activity.</p> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> • effects on amenity values • admission of daylight and sunlight to the site and other sites • extent of area of non-compliance.

24.44 Building coverage

ITEM	PERMITTED	RESOURCE CONSENT
24.44 Building coverage	<p>24.44.1</p> <p>Construction or alteration of a building is a permitted activity if:</p> <p>(a) total building coverage does not exceed 70%.</p>	<p>24.44.2</p> <p>Any activity that does not comply with a condition for a permitted activity is a restricted discretionary activity.</p> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> • effects on amenity values • building form, bulk, location, external cladding and colour • extent of area of non-compliance • effects on adjacent sites • effects on streetscape • stormwater management • onsite parking provision • landscape planting and other visual mitigation measures

24.45 Building setbacks

ITEM	PERMITTED	RESOURCE CONSENT
<p>24.45 Building setbacks</p>	<p>24.45.1 Construction or alteration of a building is a permitted activity if the building is:</p> <ul style="list-style-type: none"> (a) in the Heavy Industrial Zone, and is set back at least <ul style="list-style-type: none"> (i) 10m from all road boundaries, and (ii) 10m from all zone boundaries, other than the boundary between a Light Industrial Zone and a Heavy Industrial Zone, and (aa) in the Heavy Industrial Zone at Horotiu, is set back at least 50m from any dwelling that existed on 25 September 2004, other than a dwelling in the industrial zone prior to that date, and (b) in the Light Industrial Zone, and <ul style="list-style-type: none"> (i) is set back at least 7.5m from the road boundary, and (ii) is set back at least 7.5m from any other boundary where the site adjoins another zone, and (c) set back at least 10m from a national route or regional arterial road boundary, and (ca) setback at least 25m from the designated boundary of the Waikato Expressway. 	<p>24.45.2 Construction or alteration of a building that does not comply with a condition for a permitted activity is a restricted discretionary activity.</p> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> • effects on land in other zones • effects on amenity values • effects on streetscape • road safety.

24.45A Setbacks - high voltage electricity transmission lines

ITEM	PERMITTED	RESOURCE CONSENT
<p>24.45A Setbacks</p> <ul style="list-style-type: none"> • high voltage electricity transmission lines 	<p>24.45A.1 Construction or alteration of a building is a permitted activity if:</p> <p>(a) it is set back at least 20m from the centre line of any electricity transmission line designed to operate at 110kV or more.</p>	<p>24.45A.2 Any activity that does not comply with a condition for a permitted activity is a restricted discretionary activity.</p> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> • effects of electromagnetic fields • extent to which location and orientation of habitable rooms mitigates effects of the lines • access to transmission lines for maintenance • safety of people and property • amenity values of the site • effects on integrity of electricity supply including <ul style="list-style-type: none"> - the extent to which compliance will be achieved with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP:34 2001 - the nature and location of any landscaped amenity areas.

24.46 Building near a lake or river

ITEM	PERMITTED	RESOURCE CONSENT
<p>24.46 Building near a lake or river</p>	<p>24.46.1 Construction or alteration of a building is a permitted activity if:</p> <ul style="list-style-type: none"> (a) the building is set back at least 30m from <ul style="list-style-type: none"> (i) the margin of any lake with a bed area of 8ha or more, and (ii) the bank of any river whose bed has an average width of 3m or more, and (b) the building is set back at least 50m from the bank of the Waikato River, and (ba) the building is set back at least 50m from the river on sites to which the River Bank Stability Area applies. <p>Despite the above, a public amenity of up to 25m² on an esplanade reserve, a public walkway, a water take or discharge structure, or a pump shed are not subject to this rule.</p> <p>Note: Rule 4.2.18.1 Waikato Regional Plan controls building within 10m of artificial watercourses (drains), modified watercourses or rivers within drainage districts and river control scheme areas managed by Waikato Regional Council or Waikato District Council.</p>	<p>24.46.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>

24.47 Building near the coast

ITEM	PERMITTED	RESOURCE CONSENT
24.47 Building near the coast	<p>24.47.1</p> <p>Construction or alteration of a building is a permitted activity if:</p> <ul style="list-style-type: none"> (a) it is set back at least 30m from mean high water springs, and (b) the floor level of any habitable room is at least 3.7m above Moturiki Datum. 	<p>24.47.2</p> <p>Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>

24.48 Building in Flood Risk Area

ITEM	PERMITTED	RESOURCE CONSENT
24.48 Building in Flood Risk Area	<p>24.48.1</p> <p>Construction or alteration of a building on land shown on the Planning Maps as a Flood Risk Area or other land that is subject to flood hazards is a permitted activity if:</p> <ul style="list-style-type: none"> (a) the floor level of any habitable room is at least 0.3m above the 1% design flood level, and (b) the floor level of any non-habitable room is at or above the 1% design flood level, and (c) wastewater and stormwater disposal systems comply with Appendix B (Engineering Standards). <p>Despite (b), any maintenance or alteration of a water take or discharge structure is a permitted activity if:</p> <ul style="list-style-type: none"> (d) the maintenance or alteration does not cause an increase in water level on a neighbouring property with more than a minor effect, and (e) any alterations do not increase the size of the footprint of the original structure by more than 10%. 	<p>24.48.2</p> <p>Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>

24.48A Aerials

ITEM	PERMITTED	RESOURCE CONSENT
<p>24.48A Aerials</p>	<p>24.48A.1 Despite rule 24.42.1 (b), (c), (d) and (e), and 24.43, construction or alteration of an aerial and its support structures is a permitted activity if:</p> <ul style="list-style-type: none"> (a) the height of the aerial or support structures does not exceed <ul style="list-style-type: none"> (i) 25m in the Heavy Industrial Zone, or (ii) 15m in the Light Industrial Zone, or (iii) 12.5m in the Landscape Policy Area, or (iv) 5m more than the height of a building the aerial is mounted on, where that building is higher than 20m, and (b) no dish antenna exceeds 5m diameter, and no panel antenna exceeds 2.5m in any dimension, and (c) it is not attached to an historic heritage item listed in Appendix C1 (Historic Heritage Items), except for a domestic television reception aerial. 	<p>24.48A.2 Any aerial or support structure that does not comply with a condition for a permitted activity is a discretionary activity.</p>

24.49 Deleted

24.50 Group A heritage item - demolition, removal or relocation

ITEM	PERMITTED	RESOURCE CONSENT
<p>24.50 Group A heritage item</p> <ul style="list-style-type: none"> • demolition, removal or relocation 	<p>24.50.1</p>	<p>24.50.2 Demolition, removal or relocation of any group A heritage item listed in Appendix C1 (Historic Heritage Items) is a non-complying activity.</p>

24.51 Group B heritage item - demolition, removal or relocation

ITEM	PERMITTED	RESOURCE CONSENT
24.51 Group B heritage item • demolition, removal or relocation	24.51.1	24.51.2 Demolition, removal or relocation of any group B heritage item listed in Appendix C1 (Historic Heritage Items) is a discretionary activity.

24.52 All heritage items - alteration - addition

ITEM	PERMITTED	RESOURCE CONSENT
24.52 All heritage items • alteration • addition	24.52.1 Alteration of, or addition to, a heritage item listed in Appendix C1 (Historic Heritage Items) is a permitted activity if: (a) no significant feature of interest is removed, destroyed or damaged, and (b) deleted (c) alterations or additions are not visible from a public place, and (ca) alterations or additions are of similar style, bulk and sympathetic to the original structure.	24.52.2 Any activity that does not comply with a condition for a permitted activity is a restricted discretionary activity. Discretion restricted to: • form, style, materials and appearance • effects on heritage values.

24.52A All heritage items - maintenance - repair

ITEM	PERMITTED	RESOURCE CONSENT
24.52A All heritage items <ul style="list-style-type: none"> • maintenance • repair 	24.52A.1 Maintenance or repair to a heritage item listed in Appendix C1 (Historic Heritage Items) is a permitted activity if: <ol style="list-style-type: none"> no significant feature of interest is destroyed or damaged, and replacement materials are the same as, or similar to, the original with the original form, style and appearance. 	24.52A.2 Any activity that does not comply with a condition for a permitted activity is a restricted discretionary activity. Discretion restricted to: <ul style="list-style-type: none"> • form, style, materials and appearance • effects on heritage values.

24.53 All heritage items - site development

ITEM	PERMITTED	RESOURCE CONSENT
24.53 All heritage items <ul style="list-style-type: none"> • site development 	24.53.1 Development on the site of a heritage item listed in Appendix C1 (Historic Heritage Items) is a permitted activity if: <ol style="list-style-type: none"> deleted it is set back at least 10m from the heritage item, and a building is not located between the front of the heritage item and the road. 	24.53.2 Any activity that does not comply with a condition for a permitted activity is a restricted discretionary activity. Discretion restricted to: <ul style="list-style-type: none"> • effects on the values, context and setting of the heritage item • location, design, size, materials and finish • landscaping • the relationship of the heritage item with the setting.

24.54 View shafts - battlefields

ITEM	PERMITTED	RESOURCE CONSENT
24.54 View shafts <ul style="list-style-type: none"> • battlefields 	24.54.1 Construction or alteration of a building or other structure is a permitted activity if: <ol style="list-style-type: none"> it does not obscure views of the Waikato River or the Whangamarino Redoubt from Meremere Pa/Redoubt as shown on the planning maps. 	24.54.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.

24.54A Relocated building

ITEM	CONTROLLED	RESOURCE CONSENT
<p>24.54A Relocated building</p>	<p>24.54A.1 Relocation of a used building to a new site is a controlled activity if:</p> <p>(a) the building is delivered to its final position on the site, and connected to its new foundations within 7 days of arrival.</p> <p>Control reserved over:</p> <ul style="list-style-type: none"> • external appearance • effects on amenity values and natural character of locality • visibility from public places and screening • structural integrity and weatherproofing • maintenance, repair, replacement, or decoration of cladding, roofing, porches, decks, baseboards, steps, windows, chimney spaces, spouting and stormwater drains • stormwater management on the site • timetable for works • bond to secure compliance • matters referred to in Appendix B (Engineering standards) 	<p>24.54A.2 Any activity that does not comply with conditions for a controlled activity is a restricted discretionary activity.</p> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> • matters referred to in conditions for controlled activities, • matters that control is reserved over.

24.70 to 24.79 Subdivision

Editorial Note

Editorial Note:

Any subdivision application relating to land that is contaminated or potentially contaminated, because of its past, present or likely use of the land for an activity or industry described in the Ministry for the Environment's Hazardous Activities and Industries List (HAIL), is required to be assessed under the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 in [Appendix Of](#).

24.70 Allotment size

ITEM	CONTROLLED	RESOURCE CONSENT
24.70 Allotment size	<p>24.70.1</p> <p>Subdivision is a controlled activity if:</p> <ul style="list-style-type: none"> (a) every allotment in the Light Industrial Zone has a net site area of at least 225m², excluding an access allotment or utility allotment, and (b) every allotment in the Heavy Industrial Zone has a net site area of at least 1ha, excluding an access allotment or utility allotment, and (c) deleted <p>Control reserved over:</p> <ul style="list-style-type: none"> • amenity values. 	<p>24.70.2</p> <p>Subdivision that does not comply with a condition for a controlled activity is a discretionary activity.</p>

24.71 Allotment boundaries

ITEM	CONTROLLED	RESOURCE CONSENT
24.71 Allotment boundaries	<p>24.71.1</p> <p>Subdivision is a controlled activity if the boundary of every allotment is drawn so that:</p> <ul style="list-style-type: none"> (a) existing buildings comply with the permitted activity rules relating to building coverage, set backs, and daylight angles, except to the extent of any non-compliance that existed lawfully prior to the subdivision, and (b) no area of significant indigenous vegetation and habitat, hazard area, contaminated land, dune land, heritage item, site of significance to Maori, or wetland is divided between allotments, and (c) boundaries avoid any tree listed in Appendix F (Notable Trees). <p>Control reserved over:</p> <ul style="list-style-type: none"> • effects on amenity values of buildings • effects on sites of significance to Maaori • effects on any notable trees • effects on heritage item. • amenity • effects on archaeological sites. 	<p>24.71.2</p> <p>Subdivision that does not comply with a condition for a controlled activity is a restricted discretionary activity.</p> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> • matters referred to in conditions for controlled activities • matters that control is reserved over.

24.72 Frontage

ITEM	CONTROLLED	RESOURCE CONSENT
24.72 Frontage	<p>24.72.1</p> <p>Subdivision is a controlled activity if:</p> <p>(a) every allotment with a road boundary, other than an access allotment, access leg or utility allotment, has a width along the road boundary of at least 15m.</p> <p>Control reserved over:</p> <ul style="list-style-type: none"> • road efficiency and safety • amenity and streetscape. 	<p>24.72.2</p> <p>Subdivision that does not comply with a condition for a controlled activity is a discretionary activity.</p>

24.73 Road access

ITEM	CONTROLLED	RESOURCE CONSENT
24.73 Road access	<p>24.73.1</p> <p>Subdivision is a controlled activity if:</p> <p>(a) every allotment is provided with vehicle access to a public road, and</p> <p>(b) the vehicle access complies with Appendix A (Traffic) and Appendix B (Engineering Standards).</p> <p>Control reserved over:</p> <ul style="list-style-type: none"> • adequacy of the access for its intended use • road efficiency and safety • matters set out in Appendix A (Traffic) and Appendix B (Engineering Standards). 	<p>24.73.2</p> <p>Subdivision that does not comply with a condition for a controlled activity requires resource consent as stated in the relevant appendix, or is a discretionary activity if not otherwise specified.</p>

24.74 Earthworks

ITEM	CONTROLLED	RESOURCE CONSENT
<p>24.74 Earthworks</p>	<p>24.74.1 Subdivision is a controlled activity if:</p> <p style="padding-left: 40px;">(a) earthworks comply with Appendix B (Engineering Standards).</p> <p>Control reserved over:</p> <ul style="list-style-type: none"> ● matters referred to in Appendix B (Engineering Standards) ● amenity and streetscape ● nature and source of fill ● location of earthworks and fill ● compaction of fill ● volume and depth of earthworks and fill ● identification of future building platforms ● water quality ● provision of erosion and sediment control plan for the work ● notice prior to commencement. 	<p>24.74.2 Subdivision that does not comply with a condition for a controlled activity is a discretionary activity.</p>

24.75 On-site services

ITEM	CONTROLLED	RESOURCE CONSENT
<p>24.75 On-site services</p>	<p>24.75.1 Subdivision is a controlled activity if, for every allotment other than a utility or access allotment:</p> <ul style="list-style-type: none"> (a) provision is made to connect to a telecommunications network and energy supply network, and (b) either <ul style="list-style-type: none"> (i) provision is made to connect to reticulated water supply, stormwater, land drainage and wastewater disposal networks where available, or (ii) an alternative method of water supply, stormwater, land drainage and wastewater disposal that complies with Appendix B (Engineering Standards) is provided, and (c) services are placed underground where <ul style="list-style-type: none"> (i) a new road is required as part of the subdivision, or (ii) existing services to the land are already placed underground. <p>Control reserved over:</p> <ul style="list-style-type: none"> • health and safety • amenity values • matters referred to in Appendix B (Engineering Standards) • easements to facilitate development beyond the site. 	<p>24.75.2 Subdivision that does not comply with a condition for a controlled activity is a discretionary activity.</p>

24.76 Hazard risks

ITEM	CONTROLLED	RESOURCE CONSENT
<p>24.76 Hazard risks</p>	<p>24.76.1 Subdivision is a controlled activity if:</p> <p>(a) the land is not in the Huntly South Assessment Area 1 Huntly East Mine Subsidence Area, Flood Risk Area.</p> <p>Control reserved over:</p> <ul style="list-style-type: none"> • size and area of allotments • mitigation of hazards in other areas. 	<p>24.76.2 Subdivision that does not comply with a condition for a controlled activity is a discretionary activity.</p>

24.77 Esplanade reserves and esplanade strips

ITEM	CONTROLLED	RESOURCE CONSENT
<p>24.77 Esplanade reserves and esplanade strips</p>	<p>24.77.1 Subdivision is a controlled activity if an esplanade reserve or strip 20m wide (or other width stated in Appendix G Esplanade Priority Areas) is created from every allotment:</p> <p>(a) less than 4ha and within 20m of</p> <p>(i) mean high water springs, or</p> <p>(ii) the bank of any river whose bed has an average width of 3m or more, or</p> <p>(iii) a lake whose bed has an area of 8ha or more, or</p> <p>(b) 4ha or more within 20m of</p> <p>(i) mean high water springs, or</p> <p>(ii) a water body identified in Appendix G (Esplanade Priority Areas).</p> <p>Control reserved over:</p> <ul style="list-style-type: none"> • deleted • the type of esplanade provided - reserve or strip • the width of the esplanade reserve or strip • access to the esplanade reserve or strip • matters provided for in an instrument creating an esplanade strip or access strip • works required prior to vesting any reserve in the Council. 	<p>24.77.2 Subdivision that does not comply with a condition for a controlled activity is a restricted discretionary activity.</p> <p>Discretion restricted to:</p> <ul style="list-style-type: none"> • matters that control is reserved over • costs and benefits of acquiring the land.

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
<p>24B.4 Industrial development is consistent with the long-term land use pattern for Horotiu and occurs in an integrated and coordinated manner.</p>	<p>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> <p>24B.6 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 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.

24B.10 to 24B.12 Rule Table for Horotiu Industrial Park

24B Indicative Development Plan Rule - Subdivision and Land Use

24B.10 Land Use and Development

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

24B.11 Subdivision

ITEM	CONTROLLED	RESOURCE CONSENT
24B.11 Subdivision	24B.11.1 Subdivision consistent with an Indicative Development Plan is a controlled activity. Control reserved over: <ul style="list-style-type: none"> • 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

ITEM	CONTROLLED	RESOURCE CONSENT
<p>24B.12 Indicative Development Plan All stages</p>	<p>24B.12.1 An Indicative Development Plan is a controlled activity, if</p> <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (i) overall indicative site layout (ii) indicative location of proposed 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: <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 (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 (iv) provision for alternative transport modes including public transport, pedestrians and cycle linkages within and between stages and with adjacent land; and (v) proposed landscaping and screen 	<p>24B.12.2 An Indicative Development Plan that does not comply with a condition for a controlled activity is a discretionary activity.</p> <p>Where a traffic survey undertaken under Rule 24B.17 shows that the trip generation for a particular stage is being 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>

Waikato District Plan - Waikato Section

ITEM	CONTROLLED	RESOURCE CONSENT
	<p>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 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</p>	

Waikato District Plan - Waikato Section

ITEM	CONTROLLED	RESOURCE CONSENT
	<p>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 	

Waikato District Plan - Waikato Section

ITEM	CONTROLLED	RESOURCE CONSENT
	<ul style="list-style-type: none">proposed planting adjoining the designation boundary of the Waikato Expressway taking into account any information provided under Rule 24B.12.1(b)(v).	

24B.13 to 24B.15 Land Use Staging

24B.13 Stage 1

ITEM	PERMITTED	RESOURCE CONSENT
<p>24B.13 Stage 1</p>	<p>24B.13.1 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 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.

24B.14 Stage 2

ITEM	PERMITTED	RESOURCE CONSENT
<p>24B.14 Stage 2</p>	<p>24B.14.1 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 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 Development Plan 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.

24B.15 Stage 3 (Substages 3A, 3B and 3C)

ITEM	PERMITTED	RESOURCE CONSENT
<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. 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). • 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

Waikato District Plan - Waikato Section

		is consistent with the Indicative Development Plan approved for the stage.
--	--	--

24B.16 to 24B.21 Land Use – Effects

24B.16 Traffic (all stages)

ITEM	PERMITTED	RESOURCE CONSENT
<p>24B.16 Traffic (all stages)</p> <ul style="list-style-type: none"> • Trip generation • Access and parking 	<p>24B.16.1 Any activity is a permitted activity if:</p> <p>(a) trip generation shall not exceed 15.4trips/ha gross land area/peak hour; and</p> <p>(b) access(es) from internal roads, entrances, parking, loading and manoeuvring shall be in accordance with Appendix A (Traffic); and</p> <p>(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.</p>	<p>24B.16.2 Any activity that does not comply with a condition for a permitted activity is a discretionary activity.</p>

24B.17 Traffic survey - All stages

ITEM	PERMITTED	RESOURCE CONSENT
<p>24B.17 Traffic survey</p> <ul style="list-style-type: none"> • All stages 	<p>24B.17.1 Any activity is a permitted activity if:</p> <p>(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.</p>	<p>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> <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.

24B.18 Servicing and operation hours

ITEM	PERMITTED	RESOURCE CONSENT
<p>24B.18 Servicing and operation hours</p> <p>Activities within</p> <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) 	<p>24B.18.1 Any activity is a permitted activity, if:</p> <p>(a) the activity does not load or unload vehicles or receive customers or deliveries before 7.30am or after 6.30pm.</p>	<p>24B.18.2 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 Rural Zoned areas across Horotiu Bridge Road; Horotiu Primary School; and the land adjoining the eastern boundary of Stage 3C are maintained.</p>

Waikato District Plan - Waikato Section

24B.19 Noise

ITEM	PERMITTED	RESOURCE CONSENT
<p>24B.19 Noise</p>	<p>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:</p> <ul style="list-style-type: none"> (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. <p>Despite the above, construction noise and emergency sirens are not subject to this rule.</p>	<p>24B.19.2 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 Rural Zoned areas across Horotiu Bridge Road; Horotiu Primary School; and the land adjoining the eastern boundary of Stage 3C are maintained.</p>

24B.20 Landscaping

ITEM	PERMITTED	RESOURCE CONSENT
<p>24B.20 Landscaping</p>	<p>24B.20.1 Any activity is a permitted activity if land within:</p> <ul style="list-style-type: none"> (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. 	<p>24B.20.2 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>

24B.21 Stage 3A Bunding area

ITEM	PERMITTED	RESOURCE CONSENT
<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>

24B.22 to 24B.24 Land Use – Building

24B.22 Building height

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>

24B.23 Building setbacks

ITEM	PERMITTED	RESOURCE CONSENT
------	-----------	------------------

Waikato District Plan - Waikato Section

<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

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

24B.25 to 24B.28 Subdivision

24B.25 Indicative Development Plan - All stages

ITEM	CONTROLLED	RESOURCE CONSENT
24B.25 Indicative Development Plan • all stages	<p>24B.25.1</p> <p>Subdivision is a controlled activity if it is in accordance with the Indicative Development Plan for the stage approved under Rule 24B.12.</p>	<p>24B.25.2</p> <p>Subdivision that is not in accordance with an approved Indicative Development Plan is a discretionary activity.</p>

24B.26 Allotment size

ITEM	CONTROLLED	RESOURCE CONSENT
24B.26 Allotment size	<p>24B.26.1</p> <p>Subdivision is a controlled activity, if:</p> <p>(a) every allotment in Horotiu Industrial Park area has a net site area of at least 500m², excluding access allotments or utility allotments.</p> <p>Control reserved over:</p> <ul style="list-style-type: none"> amenity values 	<p>24B.26.2</p> <p>Subdivision that does not comply with a condition for a controlled activity is a discretionary activity.</p>

24B.27 Stage 3A Bunding Area

ITEM	CONTROLLED	RESOURCE CONSENT
<p>24B.27 Stage 3A Bunding Area (Figure 24B(B))</p>	<p>24B.27.1 Subdivision is a controlled activity, if:</p> <p>(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).</p> <p>Control reserved over:</p> <ul style="list-style-type: none"> • construction and maintenance of bund area • planting and maintenance of bund area 	<p>24B.27.2 Any activity that does not comply with a condition for a controlled 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>

24B.28 Landscaping

ITEM	CONTROLLED	RESOURCE CONSENT
<p>24B.28 Landscaping</p>	<p>24B.28.1 Subdivision is a controlled activity if:</p> <p>(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.</p> <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>	<p>24B.28.2 Any activity that does not comply with a condition for a controlled activity is a discretionary activity.</p>

Figures 24B(A) to (C)

Figure 24B(A) Staging Map - Horotiu Industrial Park

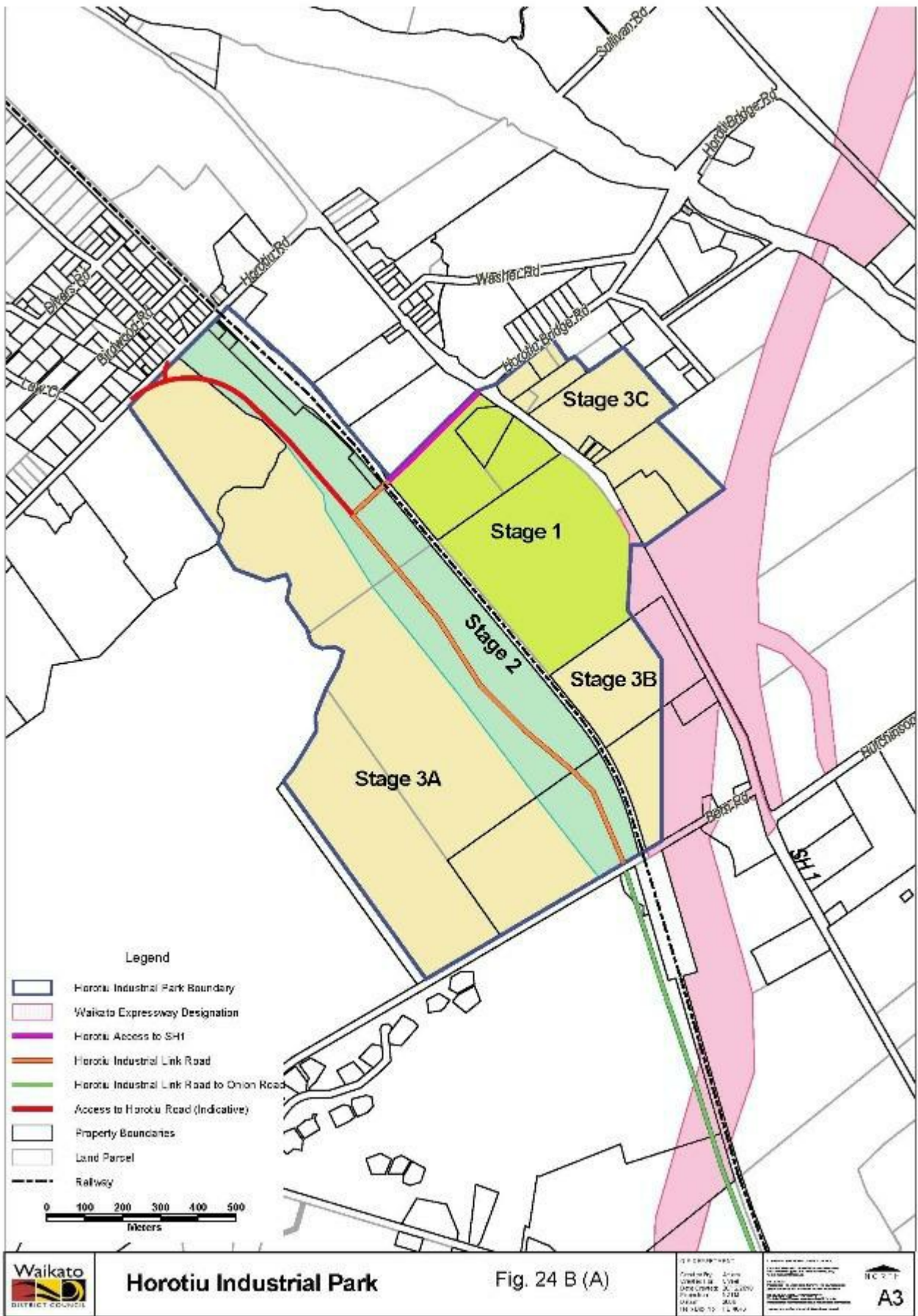


Figure 24B(B) Bunding Map - Horotiu Industrial Park

Waikato District Plan - Waikato Section

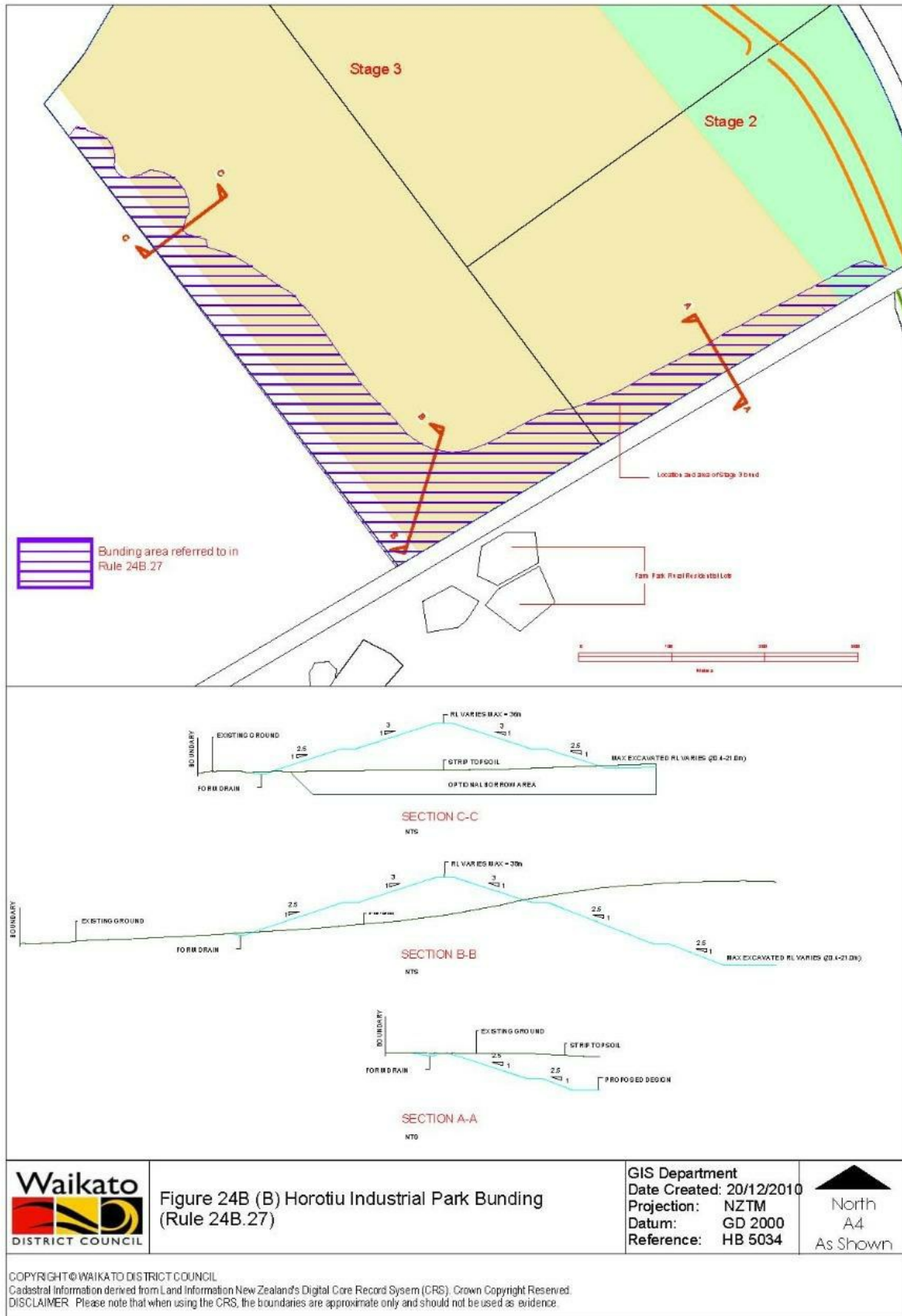


Figure 24B(C) Proposed Horotiu Road Intersection (Rule 24B.12.1(b)(vii))

Waikato District Plan - Waikato Section

