

## 9 Industrial Zone

### 9.1 Purpose

- a. The industrial land base in the City is a key economic driver for the regional economy. Industrial land in the City represents a finite and valuable resource that needs to be recognised and protected. There is evidence of considerable retail and office development having occurred in the industrial areas over the last decade resulting in adverse effects on the amenity, viability and vitality of the City Centre.
- b. District Plan provisions are generally enabling and aim to complement the City's commercial activities, both in the Central City zone and in other business centres. This complementary role includes providing locations for industrial activities that are unsuitable for commercial centres, and reducing the potential for non-industrial activities establishing in industrial locations.
- c. The Industrial Zone provisions seek to ensure that industrial land is not occupied by land activities that are non-industrial, unless they are either ancillary to industrial activity, support industrial activities, or are more appropriately located within an industrial environment than a business centre. This will reduce the potential for industrial land to be diluted by non-industrial activities, resulting in pressure for new industrial land to be zoned elsewhere, and for existing industrial land to be rezoned for commercial activity. In limited circumstances, supermarkets may locate out-of-centre in the Industrial Zone provided suitable land is not available within the business centres and where it can be demonstrated that the primacy, function, vitality, and amenity of the centres within the business hierarchy are not undermined.
- d. The rule provisions place restrictions on the scale of retail and office activities in industrial areas. This is in order to manage the potential for significant adverse effects on the Central City arising both individually and cumulatively from out-of-centre development.
- e. The Rotokauri Employment Area, as identified on the Rotokauri Structure Plan, provides for a wide range of light industrial activities in a high amenity environment. This area also provides for the operational needs of the Crawford Street Freight Village.
- f. The Riverlea Industrial Area, as identified in Appendix 6, Figure 6-1, provides for a range of light and service industrial activities. Its location within close proximity to sensitive land uses means that the establishment of heavy industry and noxious or offensive activities is not considered to be desirable or appropriate.
- g. Amenity Protection Areas will be used at the Industrial Zone's interface with Residential and other sensitive areas in order to minimise adverse effects of industrial activities and thereby to maintain amenity values in the adjacent Residential Zone or other sensitive areas.
- h. The Te Rapa corridor is a confined overlay that recognises existing office and retail activities which have been lawfully established under the previous planning regime.

It provides for continuation of existing office and retail activities within defined thresholds which reflect the standards in the previous district plan whilst encouraging a return to industrial uses. The expansion of existing activities or establishment of any new or additional retail or office activities/ tenancies is not envisaged in this area.

- i. The area at 980 Te Rapa Road between Maui Street and Eagle Way identified in Fig 9.3a adjoins open space, residential and commercial activities and is also adjacent to the Te Rapa Sub Regional Centre. This is an area in a state of land use transition from heavy industrial use to more non-industrial type activities. Given its location and surrounding land uses, on those specific lots identified provision is made for managed care facilities; retirement village, rest homes and visitor accommodation providing adverse effects are mitigated.

## 9.2 Objectives and Policies: Industrial Zone

Objective	Policies
<b>9.2.1</b> Industrial activities are able to establish and operate within the zone in an efficient and effective manner.	<b>9.2.1a</b> Industrial land is used for industrial activities.
	<b>9.2.1b</b> Except as specifically provided for, non-industrial activities establish and operate only where they are ancillary to industrial activities, support industrial activities, or are consistent with industrial activities.
	<b>9.2.1c</b> While the Industrial Zone is for industrial purposes, specified non-industrial activities may operate in the Greenwood/Kahikatea Corridor and Te Rapa Corridor due to their characteristics; provided that such non-industrial activities do not adversely affect industrial activities in the Industrial Zone, or impact adversely on the strategic role of the Central City and other business centres in the City.
<b>9.2.2</b> Non-industrial activities which establish and operate within the zone do not undermine the primacy, function, vitality and amenity of the Central City, the sub-regional centres and the function of the lower order centres in the business hierarchy.	<b>9.2.2a</b> Non-industrial activities do not adversely affect industrial activities in the Industrial Zone, or impact adversely on the strategic role of the Central City as the primary office, retail, and entertainment centre, and the other business centres in the City.
	<b>9.2.2b</b> In limited circumstances, new supermarkets may establish in the Industrial Zone where it can be demonstrated that: <ol style="list-style-type: none"> <li>i. suitable land is not available within the business centres; and</li> </ol>

	ii. the potential adverse effects on the primacy, function, vitality, and amenity of the centres within the business hierarchy are avoided.
<b>Explanation</b>	
<p><i>Activities that are non-industrial and that are provided for in other parts of the City should in general not be carried out within industrial locations. The District Plan sets as the key principle in this regard that industrial land should be preserved for industrial activities, but also includes provision for a range of non-industrial activities considered to be ancillary to industrial activity, that support industrial activities, or specific forms of commercial activity that are acceptable within industrial environments.</i></p> <p><i>Supermarkets are a form of commercial activity envisaged in the Industrial Zone only in limited circumstances. Strategic Framework and Business policies encourage their location within business centres as a priority. Because of the nature of their trade catchments they may be suitable in some industrial areas if Business zoned sites are not available and, having regard to the extent to which effects on business centres (beyond effects associated with trade competition) are avoided. Businesses that attract a great deal of traffic are encouraged in the Central City and business centres, where they will be more accessible, and where significant public investment has been made in providing amenities and facilities capable of supporting such activities.</i></p>	
<b>Objective</b>	<b>Policies</b>
<b>9.2.3</b> The amenity levels of industrial areas are to be enhanced.	<b>9.2.3a</b> Amenity levels within the Industrial Zone are improved with the use of landscaping and screening, restrictions on site layout, enhanced design of buildings, ensuring orientation of buildings towards the site frontage, and enhanced urban design outcomes.
<b>Explanation</b>	
<p><i>Although lower standards of amenity are often characteristic of industrial locations, Plan provisions aim to enable a general improvement in the amenity of the City's industrial locations. The purpose of this is to create functional and attractive employment areas and to contribute to raising amenity levels within the City generally.</i></p> <p><i>This is to be achieved through resource consent being required for the construction of new buildings or alterations to existing buildings located on identified transport corridors (other than minor alterations) to ensure improved urban design outcomes on these highly visible locations. There are also requirements for increased landscaping, articulation of building frontages and screening (particularly on the boundary of residential land and reserves), and site layout.</i></p> <p><i>In relation to the Crawford Street Freight Village, amenity matters are addressed through Objective 9.2.5.</i></p>	
<b>Objective</b>	<b>Policies</b>
<b>9.2.4</b> The adverse amenity impacts of	<b>9.2.4a</b> The adverse effects of industrial activities are

industrial activities on residential and open space areas are to be avoided.	contained within the Industrial Zone boundary to avoid adverse effects on amenity within other zones, particularly the Residential, Special Character and Open Space Zones.
	<b>9.2.4b</b> The establishment of noxious or offensive activities within the Riverlea Industrial Area, or in locations near the boundary with Residential, Special Character and Open Space Zones, where there will be adverse amenity effects on these locations, shall be avoided.
	<b>9.2.4c</b> Additional standards apply to activities within Amenity Protection Areas in order to minimise adverse effects on the amenity of residential sites or other sensitive sites adjacent to land within the Industrial Zone.
<b>Explanation</b>	
<p><i>Industrial activities can generate adverse amenity effects beyond the boundaries of the zone. These can have a particular impact on residential and open space areas where expectations for amenity are far higher.</i></p> <p><i>The Amenity Protection Area is a key mechanism to protect residential sites where they are adjacent to land within the Industrial Zone. Industrial properties covered by the Amenity Protection Area are subject to additional standards. Enhanced management of noxious or offensive activities where they are near residential land uses is also a key aspect of the provisions.</i></p>	
<b>Objective</b>	<b>Policies</b>
<b>9.2.5</b> To optimise the benefits of the regionally significant freight village facility at Crawford Street.	<b>9.2.5a</b> Logistics, freight-handling services and supportive activities and infrastructure are provided for within Crawford Street Freight Village.
	<b>9.2.5b</b> Activities sensitive to the adverse affects of logistics and freight-handling facilities avoid locating in proximity to the Crawford Street Freight Village.
	<b>9.2.5c</b> Visual amenity effects at the boundary of the Crawford Street Freight Village with the Mangaharakeke Drive transport corridor are maintained.
<b>Explanation</b>	
<p><i>The Crawford Street Freight Village is a key regional facility, because it provides connectivity between dairy manufacturing facilities in the region and further afield with the Auckland and Tauranga ports. The facility is a critical component in ensuring the efficiency of dairy manufacturing and export within the region.</i></p>	

*The freight village is designed and operated to achieve the seamless transfer of products from road to rail and includes major storage facilities and infrastructure. Measures designed to address amenity issues at the interface with the Mangaharakeke Drive corridor need to recognise the existing amenity of the area which is dominated by rail facilities on one side and a major arterial route on the other.*

Objective	Policies
<b>9.2.6</b> Recognise lawfully established existing office and retail activities that have previously located in the Te Rapa Corridor whilst encouraging a return to industrial uses in the future.	<b>9.2.6a</b> Industrial activity is encouraged to locate within the Te Rapa Corridor.
	<b>9.2.6b</b> The continued operation of existing office and retail activities in the Te Rapa Corridor that were lawfully established as permitted activities under the previous planning regime are recognised and provided for.
	<b>9.2.6c</b> Avoid any increase in additional office or retail activities/tenancies.
	<b>9.2.6d</b> Avoid any expansion of existing office or retail activities/tenancies.

### Explanation

*Previous district plan provisions allowed office and some retail activity to establish in the Te Rapa Corridor. The overlay recognises and provides for the continued operation of these lawfully established businesses. The provisions aim to encourage a transition to industrial activity, therefore any additional office or retail activities or expansion of these activities is to be discouraged.*

Objective	Policies
<b>9.2.7</b> Enable the redevelopment of the site in a state of land use transition described as Lot 3 DP S270, Pt Lot 3 DRO 346, Pt Lot 2 DRO 346, Pt Lot 1 DPS 4044 and Pt Lot 2 DPS 4044 to include provision for managed care facilities; retirement villages, rest homes and visitor accommodation in a manner that achieves a high level of on-site amenity for those activities whilst ensuring that reverse sensitivity effects on surrounding industrial activities are avoided.	<b>9.2.7a</b> The development of managed care facilities; retirement villages and rest homes and visitor accommodation are managed, located and designed to: <ul style="list-style-type: none"> <li>i. Avoid adverse effects from surrounding non-residential activities; and</li> <li>ii. Provide a high level of onsite amenity for the activities identified; and</li> <li>iii. Ensure adjacent non-residential activities are not subject to the effects of reverse sensitivity; and</li> <li>iv. Ensure adverse effects on the surrounding</li> </ul>

	<p>residential and open space areas are avoided; and</p> <p>v. Ensure that the interface with adjacent residential and open space uses is treated sensitively.</p>
	<p><b>9.2.7b</b></p> <p>Any development on this transitional site shall ensure vehicle and pedestrian access between Karewa Place and Maui Street.</p>
<b>Explanation</b>	
<p><i>The area between Maui Street and Eagle Way adjoins open space, residential, commercial and industrial activities. It is also adjacent to the Te Rapa Sub Regional Centre. The area identified is an area in a state of land use transition from a heavy industrial use to a lighter mix of uses due to its location and the surrounding land uses. The area has been identified as suitable for future re-zoning from industrial to an alternative mixed use zone which is focussed on residential activities. This will support the existing Te Rapa Sub Regional Centre and complement the adjoining open space and residential activities. In light of its transitional character, the site currently presents an opportunity for mixed use development of specified activities that can contribute positively to urban outcomes within this setting.</i></p> <p><i>In addition to the general provision for industrial activities, managed care facilities; retirement village, rest homes and visitor accommodation are provided for in this area. These activities, and other non-industrial activities on the site, will need to be located, designed, and managed to ensure reverse sensitivity effects on any adjacent industrial activities are avoided.</i></p> <p><i>A comprehensive traffic assessment has established the capacity of the site for development and identified the need for the construction of a new road link between Maui Street and Karewa Place, and specific intersection improvements prior to any development occurring on the site.</i></p>	

### 9.3 Rules – Activity Status Table

Activity	Industrial	Rotokauri Employment Area
<b>Buildings</b>		
a. New buildings and alterations and additions to <del>existing</del> buildings (except heritage buildings and structures scheduled in Volume 2, Appendix 8, Schedule 8A: Built Heritage) (see note 4)	P	P
b. Demolition or removal of <del>existing</del> buildings (except heritage buildings and structures scheduled in Volume 2, Appendix 8, Schedule 8A: Built Heritage) (see note 4)	P	P
c. Maintenance or repair of <del>existing</del> buildings and structures (except heritage buildings and structures scheduled in	P	P



Volume 2, Appendix 8, Schedule 8A: Built Heritage) (see note 4)		
d. Minor works	P	P
<b>Activities</b>		
e. Industrial activity	P	RD
f. Industrial activity in the Riverlea Industrial Area (Figure 6-1, Appendix 6, Volume 2)	RD	-
g. Light industrial activity  Where the activity complies with relevant standards in Rules 9.4 and 9.5 and generates <250 vehicle movements per day	P  -	-  C
h. Service industrial activity  Where the activity complies with relevant standards in Rules 9.4 and 9.5 and generates <250 vehicle movements per day	P  -	-  C
i. Any new activity requiring an air discharge consent under the Waikato Regional Plan, where discharge is from a point within 100m of the boundary of any Residential Zone or Special Character Zone	RD	RD
j. Any noxious or offensive activity greater than 250m from the boundary of any Residential Zone or Special Character Zone except within the Riverlea Industrial Area (Figure 6-1, Appendix 6, Volume 2) or Rotokauri Employment Area	RD	
k. Any noxious or offensive activity within 250m of the boundary of any Residential Zone or Special Character Zone or within the Riverlea Industrial Area (Figure 6-1, Appendix 6, Volume 2) or Rotokauri Employment Area	NC	NC
l. Ancillary offices	P	P
m. Ancillary retail	P	P
n. Trade and industry training facilities	P	P
o. Food and beverage outlets (no greater than 250m <sup>2</sup> gross floor area)	P	P
p. Wholesale retail and trade supplies	P	P
q. Yard-based retail on front sites adjoining the following transport corridors: Te Rapa Road, Avalon Drive, Mangaharakeke Drive, Lincoln Street, Greenwood Street, and Kahikatea Drive (excluding sites separated from the transport corridor by a segregation strip)	P	-
r. Yard-based retail other than as provided for as a permitted activity	RD	RD
s. Building improvement centres	P	P

t. New supermarkets, where the activity complies with the standards in Rule 9.5.5	RD	NC
u. New supermarkets, where the activity fails the standards in Rule 9.5.5	NC	NC
v. Extensions to existing supermarkets, where the activity complies with the standard in Rule 9.5.6	P	NC
w. Extensions to supermarkets where the activity complies with the standard in Rule 9.5.7	RD	NC
x. Extensions to supermarkets where the activity fails the standard in Rule 9.5.7	NC	NC
y. Healthcare services (where existing at the date of Plan notification)	P	NC
z. Healthcare services other than as provided for as a permitted activity	RD	D
aa. Emergency service facilities	RD	RD
bb. Passenger transport facilities	P	P
cc. Transport depot	P	RD
dd. Transportation service centre	D	D
ee. Transportation service centre in Stage 1B of the Te Rapa North Industrial Zone in accordance with 12.3.3.h)	P	-
ff. Parking lots and parking buildings	P	RD
gg. Accessory buildings	P	P
hh. Motorised recreation activity	P	P
ii. Drive-through services*	RD	D
jj. Ancillary residential unit where the activity complies with relevant standards in Rules 9.4 and 9.5 and generates <250 vehicle movements per day	C	C
kk. Childcare facilities	RD	RD
ll. Any activity identified in Rule 9.3.jj that does not comply with relevant standards in Rules 9.4 and 9.5 or generates 250 or more vehicle movements per day	RD	
mm. Boarding kennels and catteries	RD	RD
nn. Gymnasiums	RD	RD
oo. Places of worship	RD	RD
pp. Banks less than 200m <sup>2</sup>	P	P
qq. Managed care facilities; retirement villages and rest homes on the defined site Lot 3 DP S270, Pt Lot 3 DRO 346, Pt Lot 2 DRO 346, Pt Lot 1 DPS 4044 and Pt Lot 2 DPS 4044 shown on Figure 9.3a	RD	-



rr. Managed care facilities; retirement villages; and rest homes; outside of the defined site Lot 3 DP S270, Pt Lot 3 DRO 346, Pt Lot 2 DRO 346, Pt Lot 1 DPS 4044 and Pt Lot 2 DPS 4044 shown on Figure 9.3a	NC	-
ss. Visitor accommodation on the defined site Lot 3 DP S270, Pt Lot 3 DRO 346, Pt Lot 2 DRO 346, Pt Lot 1 DPS 4044 and Pt Lot 2 DPS 4044 shown on Figure 9.3a	D	-
tt. Visitor accommodation outside of the defined site Lot 3 DP S270, Pt Lot 3 DRO 346, Pt Lot 2 DRO 346, Pt Lot 1 DPS 4044 and Pt Lot 2 DPS 4044 shown on Figure 9.3a	NC	-

**Note**

1. Table 15-2d of Volume 2, Appendix 15-2 contains guidance for converting vehicles per day into other units of measure.
2. For any activity not identified above, see Section 1.1.8.1.
3. Refer to Chapter 1.1.9 for activities marked with an (\*)
4. For the activity status and provisions applying to the demolition or removal, maintenance and repair, and alterations and additions to buildings and structures scheduled in Volume 2, Appendix 8, Schedule 8A: Built Heritage see Chapter 19: Historic Heritage.

**Figure 9.3a:** Lot 3 DP S270, Pt Lot 3 DRO 346, Pt Lot 2 DRO 346, Pt Lot 1 DPS 4044 and Pt Lot 2 DPS 4044 Area affected by Rule 9.3.qq. to tt.



### 9.3.1 Rules – Activity Status Table for the Greenwood/Kahikatea Corridor

In addition to the activities provided for within the Industrial Zone 9.3 Rules – Activity Status Table, the following shall apply to activities located in the Greenwood/Kahikatea Corridor.

Activity	Greenwood/ Kahikatea Corridor
a. Automotive and marine suppliers	P
b. Mowers and outdoor maintenance equipment retail	P
c. Pool and spa retail	P
d. Equestrian supply retail	P
e. Gymnasiums	P
f. Hire Centre	P

### 9.3.2 Rules – Activity Status Table for the Te Rapa Corridor

In addition to the activities provided for within the Industrial Zone 9.3 Rules – Activity Status Table, the following shall apply to activities located in the Te Rapa Corridor.

Activity	Te Rapa Corridor
a. Automotive and marine suppliers	P
b. Mowers and outdoor maintenance equipment retail	P
c. Pool and spa retail	P
d. Equestrian supply retail	P
e. Gymnasiums	P
f. Hire Centre	P
g. Retail activity within the Te Rapa Corridor Area where lawfully established at 10 December 2012 and which meets the standards in Rule 9.5.8 (but excluding sites which were occupied at 10 December 2012 by activities provided for in 9.3 m., o., p., q., r., s., t. - x. and 9.3.2 a.-f.): i. <150m <sup>2</sup> GFA per tenancy ii. 151-999m <sup>2</sup> GFA per tenancy iii. >1000m <sup>2</sup> GFA per tenancy	P NC P
h. Retail activity within the Te Rapa Corridor where established at 10 December 2012 and which fails the standards in Rule 9.5.8 but meets the standards in Rule 9.5.9 (but excluding sites which were occupied at 10 December 2012 by activities provided for in 9.3 m., o., p., q., r., s., t. - x. and 9.3.2 a.-g.): i. <150m <sup>2</sup> GFA per tenancy ii. 151-999m <sup>2</sup> GFA per tenancy iii. >1000m <sup>2</sup> GFA per tenancy	D NC D

i. Retail activity within the Te Rapa Corridor described in h. above, but which fails the standards in Rule 9.5.9	NC
j. Office activity within the Te Rapa Corridor where lawfully established at 10 December 2012 and which meets the standards in Rule 9.5.8	P
k. Office activity within the Te Rapa Corridor where established at 10 December 2012 and which fails the standards in Rule 9.5.8 but meets the standards in Rule 9.5.9	D
l. Office activity within the Te Rapa Corridor described in k. above, but which fails the standards in Rule 9.5.9	NC
m. Expansion of any retail or office activity within the Te Rapa Corridor	NC
n. Establishment of any new retail or office tenancies within the Te Rapa Corridor	NC

**Note**

1. Table 15-2d of Volume 2, Appendix 15-2 contains guidance for converting vehicles per day into other units of measure.
2. Refer to Chapter 1.1.9 for activities marked with an (\*)

## 9.4 Rules – General Standards

### 9.4.1 Building Setbacks (Except in the Rotokauri Employment Area and the Crawford Street Freight Village)

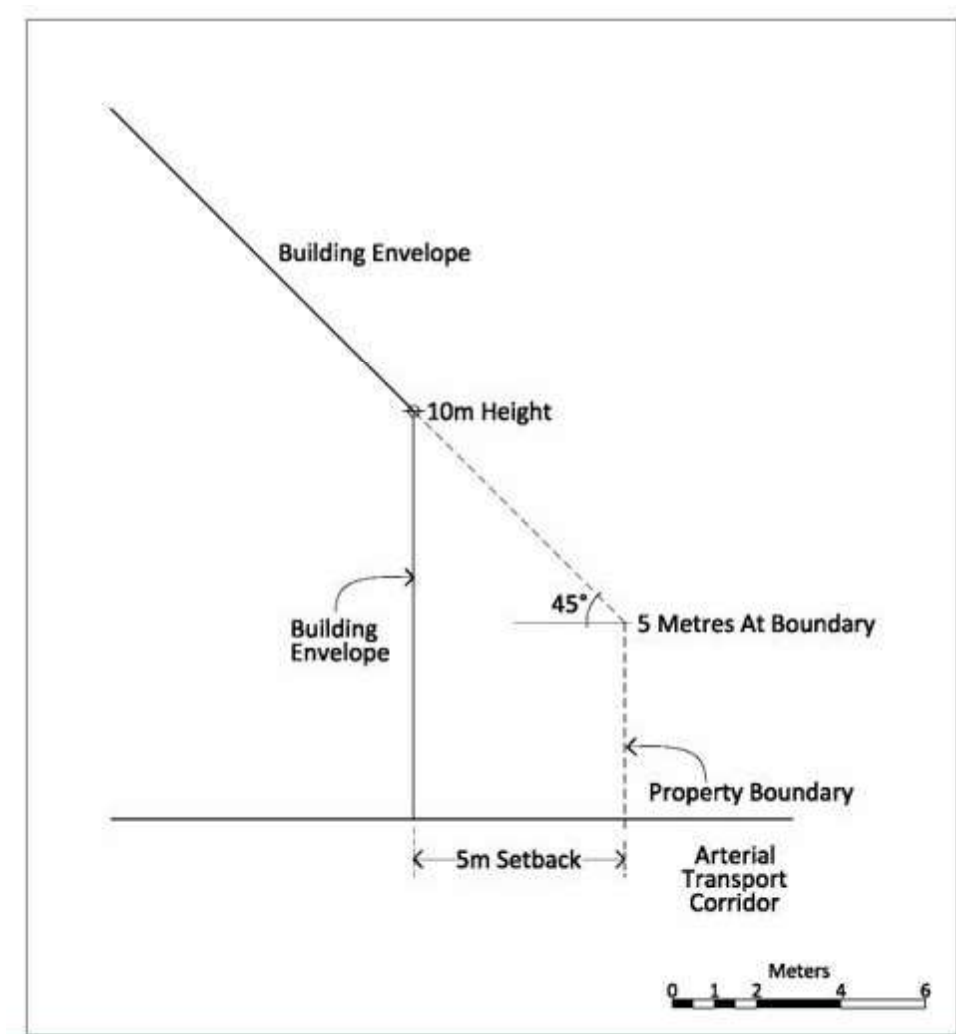
Building setback from	Minimum distance
a. Transport corridor boundary – local and collector transport corridors	3m
b. Transport corridor boundary – arterial transport corridors	<ol style="list-style-type: none"> <li>i. Any building must be set back a minimum of 5m from the property boundary; and</li> <li>ii. No part of any building may penetrate a building envelope that rises at an angle of 45 degrees starting at an elevation of 5m above the boundary adjoining any arterial transport corridor. Refer to Figure 9.4.1b</li> </ol>
c. Waikato Expressway (Designation E90 and E90a)	<ol style="list-style-type: none"> <li>i. 40m from the edge of the expressway carriageway for protected premises and facilities</li> <li>ii. 15m from designation boundary for other buildings</li> </ol>
d. Any boundary adjoining any Residential or Special Character Zone	8m, except as follows: within the Ruakura Structure plan where intervening landscape buffers shown on

	the Structure Plan map are provided
e. Any boundary adjoining any Open Space Zone	3.0m
f. Waikato Riverbank and Gully Hazard Area	6m (applies to buildings and swimming pools)
g. Other boundaries	0m/nil

**Note**

1. For Rotokauri Employment area, see 9.5.4.a.i.-v.
2. Refer to chapter 21 and 22 for objectives and policies relevant to the setback from the Waikato Riverbank and Gully Hazard Area.

**Figure 9.4.1b:** Building envelope for buildings located on an Arterial Transport Corridor



## 9.4.2 Building Height

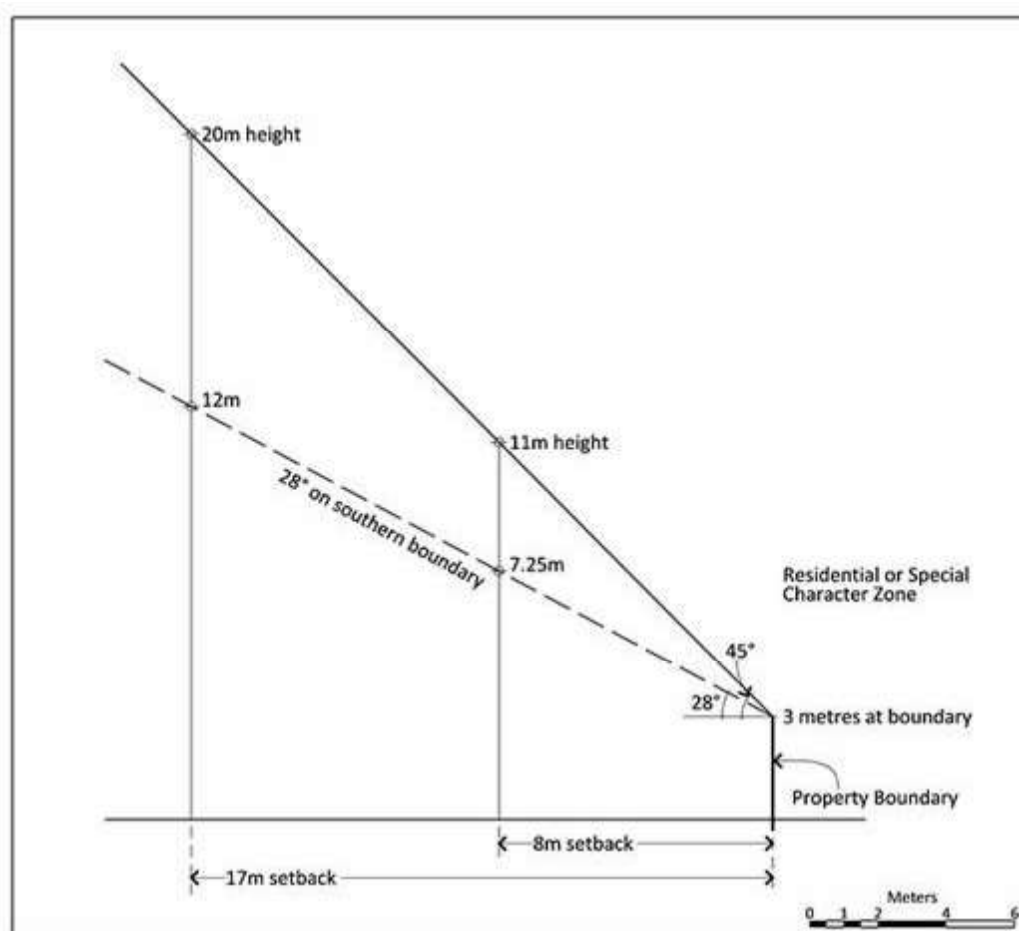
a. Maximum building height	20m, except as follows. i. 10m for that part of the building
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	located within the Amenity Protection Area ii. 15m where the site is in the Rotokauri Employment Area
b. Height of container stacking for Crawford Street Freight Village	Maximum 25m
c. Height of lighting towers, poles, aerials, loading ramps, link spans, flagpoles, machinery rooms and cranes and other lifting or stacking equipment for Crawford Street Freight Village	Maximum 35m

### 9.4.3 Height in Relation to Boundary

- a. No part of a building may penetrate a height control plane rising at an angle of 45 degrees (except for the southern boundary where it is measured at 28 degrees) starting at an elevation of 3m above the boundary of any adjoining Residential, Special Character or Open Space Zones (refer to Figure 9.4.3b).

**Figure 9.4.3b:** Height control plane for boundaries adjoining any Residential, Special Character or Open Space Zones



#### 9.4.4 Site Coverage

a. Within the Amenity Protection Area or the Rotokauri Employment Area	Maximum 75%
b. Outside the Amenity Protection Area	No maximum

**Note**

1. 100% building coverage will not be possible given the requirements for permeable area, vehicle manoeuvring, and landscaping.

#### 9.4.5 Permeable Surfaces

a. Permeability across the entire site	Minimum 10%
b. The minimum permeable surface area shall not apply in the following circumstances: <ol style="list-style-type: none"> <li>i. When undertaking minor works; or</li> <li>ii. For any change of use that would otherwise be a permitted activity and does not reduce the area of permeable surfaces below what already exists at 10 December 2012.</li> </ol>	

#### 9.4.6 Site Layout (Excluding Crawford Street Freight Village)



- a. No plant or machinery shall be placed on the front of the building or within any building setback (with the exception of machinery displayed for sale, hire, or plant associated with on-site security).

### 9.4.7 Service and Outdoor Storage Areas

- a. In the Rotokauri Employment Area no outdoor storage shall encroach into the side yard setback.
- b. In the Rotokauri Employment Area no service or outdoor storage area shall be greater than 10% of the gross ground floor area of the building.
- c. In the Rotokauri Employment Area no items stored outdoors shall exceed the height of any screen fence or screen planting or encroach into any buffer/planting strip required under Rule 25.5.3: Landscaping and Screening.
- d. No service or outdoor storage area shall be located between the front of the principal building and the major arterial road from which vehicle access is obtained (whether or not the site is separated from the road by a segregation strip or service lane).

**Note**

1. *With subsection d., yard-based retail activities (including activities identified in Rule 9.3.q and automotive and/or marine suppliers, are not outdoor storage activities.*

### 9.4.8 Provisions in Other Chapters

The provisions of the following chapters apply to activities within this chapter where relevant.

- Chapter 2 Strategic Framework
- Chapter 3: Structure Plans
- Chapter 19: Historic Heritage
- Chapter 20: Natural Environments
- Chapter 21: Waikato River Corridor and Gullies
- Chapter 22: Natural Hazards
- Chapter 23: Subdivision
- Chapter 24: Financial Contributions
- Chapter 25: City-wide

## 9.5 Rules – Specific Standards

### 9.5.1 Ancillary Retail and Office activity

- a. When combined, the total area of ancillary office and ancillary retail activity shall not occupy more than the equivalent of 50% of the gross floor area of the principal activity on the site.

### 9.5.2 Ancillary Office for yard based activity

- a. Where the principal activity is wholly or partly yard based in nature the following may apply as an alternative, but not in addition to, 9.5.1.a:
  - i. Ancillary office activity shall not occupy more than 250m<sup>2</sup> or 10% of the Yard Area of the principal yard based activity on the site, whichever is the lesser.

### 9.5.3 Buildings on sites adjoining Major Arterial Transport Corridors

- a. The construction of new buildings and alteration or additions to existing buildings which obtain vehicle access to and are visible from a Major Arterial Transport Corridor shall be designed and constructed to meet the following standards:
  - i. Any exterior wall of any building which faces toward the Major Arterial Road from which vehicle access is obtained must contain doors or windows which cover a minimum of 30% of the façade.

For the purpose of this standard the wall of a building is considered to face a road if the outside face of the wall is parallel, or at an angle of 45 degrees or less to the Major Arterial Transport Corridor.

- ii. The main pedestrian entrance of the principal building on the site shall face towards the Major Arterial Transport Corridor from which vehicle access is obtained.  
For the purpose of this standard the pedestrian entrance is considered to face a Major Arterial Transport Corridor if the wall in which the entrance is located parallel, or at an angle of 45 degrees or less, to the road.
- iii. Fences and walls in the front yard setback of the Major Arterial Transport Corridor that vehicle access is obtained from shall not exceed 1.2m in height.
- iv. No loading spaced shall be located in the front setback of the Major Arterial Transport Corridor that vehicle access is obtained from.

### 9.5.4 Buildings in the Rotokauri Employment Area

- a. The construction and external alteration of buildings in the Rotokauri Employment Area will be subject to the following standards.
  - i. Building setbacks.

Minimum setback from any boundary:

- 5m
- 8m for any non-industrial activity

Maximum setback from the front boundary and any boundary of the site adjacent to a major arterial road (except where that is a state highway) whether or not the site is separated from the major arterial road by a segregation strip or service lane:

- 10m

This standard will be met if any part of the building is in compliance with the rule.

- iv. Any exterior wall of any building which faces a road or area of public space must contain doors or windows which cover a minimum of 30% of the façade. For the purpose of this standard the wall of a building is considered to face a road or area of public space if the outside face of the wall is parallel, or at an angle of 45 degrees or less, to the road or public space.
- v. The main pedestrian entrance of the principal building on the site shall face towards the road to which the site has frontage. Where the site is adjacent to a major arterial road (except where that is a state highway), the main pedestrian entrance shall face that road whether or not the site is segregated from the road by a segregation strip or service lane. Where the site has a dual road frontage the main pedestrian entrance shall face the higher order road (except where that is a state highway), or in the case where both roads are of the same order, the developer shall nominate the street to which the main pedestrian entrance shall face. For the purpose of this standard the pedestrian entrance is considered to face a road if the wall in which the entrance is located is parallel, or at an angle of 45 degrees or less, to the road.
- vi. Fences, walls and structures shall not exceed 1.2m in height in the front setback or where the site boundary adjoins a public space or where the site boundary is adjacent to a major arterial road.
- vii. No loading spaces shall be located in the front setback or in the setback adjacent to a major arterial road.

**Note**

- 1. 9.5.4.a.iv and v continue to apply whether or not the site is separated from the road by a segregation strip or service lane.

## 9.5.5 New supermarkets in the Industrial Zone

- a. Resource consent applications for new supermarkets in the Industrial Zone must provide a Centre Assessment Report which:
  - i. addresses assessment criteria H2; and
  - ii. demonstrates that the proposal will not undermine the role and function of other centres within the localised catchment in the business hierarchy.

## 9.5.6 Extensions to existing supermarkets in the Industrial Zone

- a. Any extension to a supermarket which was existing and trading at 15 September 2015 shall not exceed 500m<sup>2</sup> of retail floor space, either in a single stage or cumulatively.

### 9.5.7 Extensions to supermarkets in the Industrial Zone, not existing at 15 September 2015

- a. Resource consent applications for an extension to a supermarket not existing at 15 September 2015 must be accompanied by a Centre Assessment Report which:
  - i. demonstrates how the proposal will not undermine the role and function of other centres within the localised catchment in the business hierarchy.

### 9.5.8 Office and retail activities lawfully established at 10 December 2012

- a. Any office or retail activity permitted under 9.3.2 g. or j. shall hold records to prove that the activity was lawfully established and operating at 10 December 2012, including details of the following:
  - i. The gross floor area that was being used for trading at 10 December 2012; and
  - ii. The number of tenancies existing on site at 10 December 2012.

### 9.5.9 Office and retail activities established at 10 December 2012

- a. Resource consent applications for any office or retail activity which is a discretionary activity under Rule 9.3.2 h. or k. shall provide records to prove that the activity was established and operating at 10 December 2012, including details of the following:
  - i. The gross floor area that was being used for trading at 10 December 2012; and
  - ii. The number of tenancies existing on site at 10 December 2012.
- b. Resource consent applications for office and retail activities provided for as a discretionary activity under Rule 9.3.2 h. or k. must provide a Centre Assessment Report to address the potential effects in terms of the criteria set out in Appendix 1 – Clause 1.3.3H.

### 9.5.10 Managed care facilities, retirement villages and rest homes in the area identified in Figure 9.3a

- a. Site coverage  
Maximum of 50%
- b. Permeable Surface  
Minimum of 20%
- c. Height  
The maximum height of buildings shall be 15m except that when any building is located in the Amenity Protection Area the maximum height shall be 10m.

## d. Height in relation to boundary

- i. No part of any building shall protrude through a height control plane rising at an angle of 28 degrees between northwest (315 degrees) and northeast (45 degrees), and rising at an angle of 45 degrees in all other directions. This angle is measured from 3m above ground level at all boundaries.

Except that:

- a. Where buildings are attached, no height control plane is required between those buildings
- b. Where a boundary adjoins a transport corridor or access way, the 45-degree angle applies to that boundary, measured 3m above the boundary
- c. Where there are two or more dwellings on the same site, the plane shall be measured at a line midway between the two dwellings rising at an angle of 45 degrees and with this angle measured from 3m above ground level at the midway line.

## e. Setbacks

- i. Managed care facilities, retirement villages and rest homes shall be set back 30m from the following:
  - a. The boundary of Te Rapa Road;
  - b. The boundary of any other industrial site; and
  - c. Any other industrial activity on the same site.

## f. Lighting and Glare, Noise and Smoke, Fumes, Odour and Dust

Where the residential activities listed above are established on site, the following standards shall apply in addition to all other relevant city-wide standards:

## i. Lighting and Glare

All residential activities shall be located to avoid the spill of light from artificial lighting (excluding street and navigation lights and traffic signals) from other activities in excess of 3 lux (horizontal and vertical) when measured at any point within 1.5m of the boundary of a residential activity.

## ii. Noise and Vibration

Residential activities shall be located to ensure that noise from any surrounding activity does not exceed the following limits, when measured within any point within 1.5m of the boundary of the residential activities.

Time of day	Noise level measured in $L_{Aeq}$ [15 min]	Noise level measured in $L_{AFmax}$
0600-0700 hours	45 dB	75 dB
0700-2000 hours	50 dB	-

2000-2300 hours	45 dB	-
2300-0600 hours	40 dB	75 dB

**Note**

*Rule 25.8.3.10 Noise-sensitive Activities – Activities in all Zones applies for all noise sensitive activities.*

iii. Smoke, Fumes, Odour and Dust

All residential activities shall be located to avoid objectionable or offensive dust, smoke, fumes or odour from any site including uses on the same site.

g. Hazardous Facilities

- i. Residential activities may only locate within 30m of a Hazardous Facilities where the activity has quantity ratio of <0.2 as per Rule 25.4.5.1.

h. Density

- i. The minimum area of land (net site area) required in respect of each residential unit (in the case of Retirement Villages) or resident (in the case of rest homes and managed care facilities) shall be:

Activity	Minimum net site area
i. Rest homes	50m <sup>2</sup> per resident
ii. Managed care facilities	100m <sup>2</sup> per resident
iii. Retirement Villages	300m <sup>2</sup> per single dwelling unit 400m <sup>2</sup> per duplex (200m <sup>2</sup> per unit) Apartments – Average net site area of 150m <sup>2</sup> per residential unit

- i. Interface between public and private (these standards only apply to front, corner and through sites):

i. Location of accessory building:

- a. All detached accessory buildings shall be located no further forward of the front building line of the dwelling than 0.5m;
  - b. Accessory buildings that are an integral part of the design and construction of the dwelling shall, if the garage door is to face the street, be located no further forward of the front building line of the dwelling than 0.5m;
  - c. Accessory buildings that are an integral part of the design and construction of the dwelling, if the garage door is 90 degrees to the street, shall be forward of the front line of the dwelling, by no more than 8m.
- ii. At least one habitable room shall have a clear-glazed window facing the transport corridor. For corner and through sites this shall be required only on the frontage from which vehicular access is provided.



iii. Fences and walls shall have a maximum height of 1.8m.

j. Residential Buildings – Separation and Privacy

i. Residential buildings shall be set back at least 3m from the nearest part of any other residential building on the same site, except:

- a. No separation is required between buildings that are attached.
- b. Where windows are located and designed (including by glazing) to avoid views between rooms in different buildings on the same site, separation distance is a minimum of 1.5m.

ii. A balcony at upper-floor level shall be set back at least 5m from all boundaries (see Figure 4.4.9c).

This does not apply to a boundary along a transport corridor, access way, right-of-way, private way, access lot, or entrance strip, less than 6m wide.

#### 9.5.10.1 Managed Care Facilities

The following standards shall apply to any Managed Care Facility in the area identified in Figure 9.3a.

a. Within one calendar month of its occupancy, the Agency/person(s) responsible for the Managed Care Facility shall provide the residents of the properties adjoining the site and Council's Planning Department a written information pack. The information pack shall include an overview of the Agency and the range of services provided (if relevant), and the type of care and programs to be provided within the Managed Care Facility and shall include the following.

- i. Proposed number of residents.
- ii. The anticipated number of visitors to the site per week and daily visiting hours.
- iii. Anticipated full time equivalent staff at the facility.
- iv. Regular and emergency contact details to enable prompt and effective contact if necessary.
- v. The policies for the management of possible emergency situations including the management of neighbour relations in an emergency situation.

b. The outdoor living area shall be provided communally which shall comprise:

- i. At least 12m<sup>2</sup> per resident.
- ii. A minimum dimension of not less than 4m.
- iii. An area capable of containing a 6m diameter circle.
- iv. At least 60% at ground level, and any outdoor living space that is not at ground

level is provided on upper floor decks wider than 1m.

- v. Comprise not more than 35% impermeable surface area.
  - vi. For the exclusive use of the residents.
  - vii. Readily accessible for all residents.
  - viii. Free of driveways, manoeuvring areas, parking spaces, accessory buildings and service areas.
- c. A service area shall be provided that has:
- i. A minimum area of 20m<sup>2</sup> with a minimum dimension of 3m.
  - ii. In cases where a fully equipped laundry (washing and drying machines) is provided, then the service area can be reduced to a minimum of 16m<sup>2</sup> with a minimum dimension of 2m.
  - iii. Staff providing supervision for managed care facilities accommodating eight or more residents shall be present on site at all times that residents are in occupation.
  - iv. No part of any site or premises used as a managed care facility shall contain a secure unit.

#### 9.5.10.2 Rest Homes

The following standards shall apply to any rest home in the area identified in Figure 9.3a.

- a. The maximum density for rest homes shall be one person per 50m<sup>2</sup> of net site area.
- b. An outdoor living area shall be provided that:
  - i. Is for the exclusive use of the residents
  - ii. Is readily accessible to all residents
  - iii. Is free of driveways, manoeuvring areas, parking spaces, accessory buildings and service areas
  - iv. Has a maximum area of impermeable surfaces not exceeding 60% of the outdoor living area.
- c. The outdoor living area shall be provided communally which shall comprise:
  - i. At least 12m<sup>2</sup> per resident
  - ii. A minimum dimension of not less than 4m

- iii. At least capable of containing a 6m-diameter circle
  - iv. At least 60% provided at ground level, and any outdoor living space that is not at ground level is provided on upper floor decks wider than 1m.
- d. A service area shall be provided with areas and dimensions as follows:
- i. Minimum area of 20m<sup>2</sup>
  - ii. Minimum dimension of 3m
  - iii. Provided that where a fully equipped laundry (both washing and drying machines) is provided in rest home, then the service area can be reduced to a minimum of 16m<sup>2</sup> with a minimum dimension of 2m.

#### 9.5.10.3 Retirement Villages

The following standards shall apply to any Retirement Village in the area identified in Figure 9.3a.

- a. Minimum site area of 2000m<sup>2</sup>
- b. No more than 20% of residential units shall be in the form of apartments
- c. Required to undertake a Water Impact Assessment, as described in Volume 2, Appendix 1.2.2.5
- d. Outdoor Living Area
  - i. Each residential unit, except for when a communal open space is provided, shall be provided with an outdoor living area that is:
    - a. For the exclusive use of each residential unit.
    - b. Readily accessible from a living area inside the residential unit.
    - c. Free of driveways, manoeuvring areas, parking spaces, accessory buildings and service areas.
  - d. Located on a side of the residential unit which faces north, east or west. For the purpose of this standard, a side that faces north, east or west means the area to the:
    - West of the westernmost and/or easternmost corners of the dwelling, and/or
    - West of the west facing façade aligned at no more than 15 degrees to the north-south axis, and/or
    - East of the east facing façade aligned at no more than 15 degrees to the north-south axis.

- ii. Communal open space for 4 or more residential units and apartment buildings shall comply with 4.4.10.b.iii. as well as being:
  - a. For the shared use of all residents on site, and
  - b. Readily accessible from all residential units on site.
- iii. Outdoor living areas shall have areas and dimensions as follows.

Residential Units	Outdoor living area per residential unit	Shape
i. Including single residential dwellings and duplex dwellings	60m <sup>2</sup>	Capable of containing a 6m diameter circle No dimension less than 2.5m
ii. Communal open space for 4 or more residential units for the exclusive use of the residential units	12m <sup>2</sup>	Capable of containing a 8m diameter circle No dimension less than 4m
iii. Apartment Buildings	12m <sup>2</sup>	No dimension less than 2.5m

- iv. Any communal open space shall be optional but cannot contribute more than 50% of the above provisions.
- v. Communal open space is an alternative to, and not in addition to, individual outdoor living areas for each residential unit.

e. Service Areas

Description	Minimum requirements per Residential Area
i. Every site, including first single dwelling but excluding apartments	i. At least 20m <sup>2</sup> ii. Minimum dimension 3m
ii. Second and subsequent residential units, including duplex dwellings	i. Additional 20m <sup>2</sup> for second and each subsequent residential unit ii. Minimum dimension 3m
iii. Apartments	Individual or communal: i. 10m <sup>2</sup> ii. Minimum dimension 2.5m
iv. All service areas	i. Readily accessible from each residential unit ii. Not visible from a public place

### 9.5.11 Activities on defined site Lot 3 DP S270, Pt Lot 3 DRO 346, Pt Lot 2 DRO 346, Pt Lot 1 DPS 4044 and Pt Lot 2 DPS 4044

## a. Noise

Any activity locating on defined site Lot 3 DP S270, Pt Lot 3 DRO 346, Pt Lot 2 DRO 346, Pt Lot 1 DPS 4044 and Pt Lot 2 DPS 4044 after the establishment of any activity listed in 9.5.11 shall ensure that the existing residential activity is not subject to any noise that exceeds the following limits when measured within any point within 1.5m of the boundary of the residential activities.

Time of day	Noise level measured in $L_{Aeq}$ [15 min]	Noise level measured in $L_{AFmax}$
0600-0700 hours	45 dB	75 dB
0700-2000 hours	50 dB	-
2000-2300 hours	45 dB	-
2300-0600 hours	40 dB	75 dB

For the avoidance of doubt, this standard applies to the defined site and replaces any City-wide noise provisions which may apply to the zone.

## b. Hazardous Facilities

Any hazardous facility locating on defined site Lot 3 DP S270, Pt Lot 3 DRO 346, Pt Lot 2 DRO 346, Pt Lot 1 DPS 4044 and Pt Lot 2 DPS 4044 within 30m of any established activity listed in 9.5.11 shall have a quantity ratio of <0.2 as per Rule 25.4.5.1.

For the avoidance of doubt, this standard applies to the defined site and replaces any City-wide Hazardous Facility provisions which may apply to the zone.

## c. Collector Road and Te Rapa Road Intersection

- i. Prior to the commencement of development of managed care facilities, retirement villages, rest homes or visitor accommodation on the defined site shown on Figure 15-7c:
  - a. The Future Road shown on Figure 15-7c to connect between Maui Street and Eagle Way shall be constructed to collector road standard and vested in the Council, and;
  - b. The existing through lane on the Eagle Way approach to the Te Rapa Road intersection shall be changed to a shared through and right-turn lane, or other intersection configuration to optimise intersection performance as determined through an ITA.

## 9.5.12 Building Setbacks in the Crawford Street Freight Village

Building setback from	Minimum distance
a. Transport corridor boundary – local and collector transport corridors	3m
b. Transport corridor boundary – arterial	15m

transport corridors	
c. Other boundaries	0m/nil

## 9.6 Controlled Activities: Matters of Control

- a. In determining any application for resource consent for a controlled activity in addition to compliance with the relevant standards within 9.4-9.5 the Council shall have control over the following matters referenced below.

Activity Specific	Matter of Control and Reference Number (Refer to Volume 2, Appendix 1.3.2)
i. Light Industrial*	B Industrial Zone
ii. Service Industrial*	B Industrial Zone
iii. Ancillary residential unit*	B Industrial Zone

**Note**

1. Refer to Chapter 1.1.9 for activities marked with an asterisk (\*)

## 9.7 Restricted Discretionary Activities: Matters of Discretion and Assessment Criteria

- a. In determining any application for resource consent for a restricted discretionary activity, Council shall have regard to the matters referenced below, to which Council has restricted the exercise of its discretion. Assessment Criteria within Volume 2, Appendix 1.3 provide for assessment of applications as will any relevant objectives and policies. In addition, when considering any Restricted Discretionary Activity located with the Natural Open Space Zone, Waikato Riverbank and Gully Hazard Area, or Significant Natural Area Council will also restrict its discretion to Waikato River Corridor or Gully System Matters (see the objectives and policies of Chapter 21: Waikato River Corridor and Gully Systems).

Activity Specific	Matter of Discretion and Assessment Criteria Reference Number (Refer to Volume 2, Appendix 1.3)
i. Any Industrial activity in the Riverlea Industrial Area or Rotokauri Employment Area	<ul style="list-style-type: none"> <li>• C – Character and Amenity</li> <li>• F – Hazards and Safety</li> </ul>
ii. Parking lots and parking buildings in the Rotokauri Employment Area	<ul style="list-style-type: none"> <li>• C – Character and Amenity</li> </ul>
iii. Emergency services facilities	<ul style="list-style-type: none"> <li>• C – Character and Amenity</li> <li>• F – Hazards and Safety</li> </ul>
iv. Childcare facilities	<ul style="list-style-type: none"> <li>• C – Character and Amenity</li> <li>• F – Hazards and Safety</li> </ul>
v. Drive-through services*	<ul style="list-style-type: none"> <li>• M – Drive-through services</li> </ul>



	<ul style="list-style-type: none"> <li>• C – Character and Amenity</li> <li>• F – Hazards and Safety</li> </ul>
vi. Noxious or offensive activities	<ul style="list-style-type: none"> <li>• C – Character and Amenity</li> <li>• F – Hazards and Safety</li> </ul>
vii. Activities requiring an air-discharge consent	<ul style="list-style-type: none"> <li>• C – Character and Amenity</li> <li>• F – Hazards and Safety</li> </ul>
viii. Transport depot	<ul style="list-style-type: none"> <li>• C – Character and Amenity</li> <li>• F – Hazards and Safety</li> </ul>
ix. Health care services other than those provided for as a permitted activity	<ul style="list-style-type: none"> <li>• C – Character and Amenity</li> <li>• F – Hazards and Safety</li> </ul>
x. Boarding kennels and catteries	<ul style="list-style-type: none"> <li>• C – Character and Amenity</li> <li>• F – Hazards and Safety</li> </ul>
xi. New supermarkets in the industrial zone	<ul style="list-style-type: none"> <li>• A1 – General Criteria</li> <li>• M – Supermarkets</li> <li>• G – Transport</li> <li>• H2 – Function, Vitality and Amenity of Centres</li> </ul>
xii. Extensions to supermarkets not existing at 15 September 2015	<ul style="list-style-type: none"> <li>• A1 – General Criteria</li> <li>• M – Supermarkets</li> <li>• G – Transport</li> </ul>
xiii. Managed care facilities; retirement villages and rest homes on the defined site Lot 3 DP S270, Pt Lot 3 DRO 346, Pt Lot 2 DRO 346, Pt Lot 1 DPS 4044 and Pt Lot 2 DPS 4044	<ul style="list-style-type: none"> <li>• B – Design and Layout</li> <li>• C – Character and Amenity (C1, C2, C10-16)</li> <li>• F – Hazards and Safety</li> <li>• G- Transportation</li> </ul>
xiv. Yard based retail	<ul style="list-style-type: none"> <li>• C – Character and Amenity</li> <li>• F – Hazards and Safety</li> </ul>
xv. Gymnasiums	<ul style="list-style-type: none"> <li>• C – Character and Amenity</li> <li>• F – Hazards and Safety</li> </ul>
xvi. Places of worship	<ul style="list-style-type: none"> <li>• C – Character and Amenity</li> <li>• F – Hazards and Safety</li> </ul>

## 9.8 Other Resource Consent Information

Refer to Chapter 1: Plan Overview for guidance on the following.

- How to Use this District Plan
- Explanation of Activity Status
- Activity Status Defaults
- Notification / Non-notification Rules
- Rules Having Early or Delayed Effect

Refer to Volume 2, Appendix 1: District Plan Administration for the following.

- Definitions and Terms Used in the District Plan
- Information Requirements
- Controlled Activities – Matters of Control
- Restricted Discretionary, Discretionary and Non-Complying Activities Assessment Criteria
- Design Guides
- Other Methods of Implementation